

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.10.2015

CORAM

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

C.R.P(PD) Nos.3267 and 3280 of 2015
and M.P.No.1 of 2015

Mohamed Syed

.. Petitioner in
C.R.P.(PD)No.3267 of 2015

1.The Tamil Nadu Wakf Board
Rep. By its Chief Executive Offficer,
No.1, Jaaffer Syrang Road,
Vallal Seethakathi Nagar,
Chennai.

2.Election Officer/Executive Officer,
Sharfunnissa Begum Sahiba Mosque
No.833, Mecca Masjid Complex,
Anna Salai,
Chennai - 600 002.

.. Petitioner in
C.R.P.(PD)No.3280 of 2015

Vs.

1.The Tamil Nadu Wakf Board
Rep. By its Chief Executive Offficer,
No.1, Jaaffer Syrang Road,
Vallal Seethakathi Nagar,
Chennai.

2.Election Officer/Executive Officer,
Sharfunnissa Begum Sahiba Mosque
No.833, Mecca Masjid Complex,
Anna Salai,
Chennai - 600 002.

.. Respondents in
C.R.P.(PD)No.3267 of 2015

1.K.B.Nawabjan
 2.B.N.Naseer
 3.B.N.Kasier
 4.K.B.Munawar Basha
 5.Abdul Rahim Imtiaz

.. Respondents in
 C.R.P.(PD)No.3280 of 2015

Civil Revision Petitions filed under Article 227 of the Constitution of India praying to set aside the order and decree in I.A.No.17097/2014 in O.A.No.14 of 2014 dated 23.12.2014 passed by the Hon'ble I Assistant City Civil Judge, Wakf Tribunal, Chennai.

For Petitioner : Mr.Thiruvengadam for
 Mr.M.R.Sheik Abdul Rahim
 For Respondents : Mr.V.Raghavachari
 (In C.R.P.No.3267/2015)

For Petitioners : Mr.V.Raghavachari
 For Respondents : Mr.Abdul Wakah for
 (In C.R.P.No.3267/2015) Mr.B.Haribabu

ORDER

The matter that arises in the Civil Revision Petitions is regarding to the conduct of election of Sarfunnissa Begum Sahiba Mosque, Teynampet, Chennai.

2. On 02.09.2015, this Court passed the following order:

“On the last occasion, it was represented by the learned counsel for the petitioner as well as the learned

Senior Counsel for the respondents herein, who support the order of the WAKF Tribunal in staying the election to Sarfunnissa Begum Sahiba Mosque, Teynampet, Chennai, that if the issue relating to de-limitation of the areas is decided by the WAKF Board, they would go by the decision of the WAKF Board. They further submitted that even if the WAKF Board decides against them, they would not get any interim order staying the election, without prejudice to their right to question the decision of the WAKF Board, i.e, based on the order of the WAKF Tribunal, election could be held and results could be announced, without prejudice to the rights of the parties. Hence, this Court suggested the learned counsel for the WAKF Board to get the views of the Board and also the date on which Board could meet to decide the issue.

2. Today, the learned counsel for the WAKF Board has stated that the Board would hear the issue on 29.09.2015 at 10.30. a.m.

3. At this juncture, the learned counsel for the respondents as well as the learned counsel for the petitioner in CRP.No.3267 of 2015 have submitted that the parties would file an affidavit that they would appear on 29.09.2015 before the Board and they would take this as notice and no separate notice is necessary for hearing by the Board and they would also file an affidavit to that effect.

Post the matter on 04.09.2015 for filing affidavit.”

3. Pursuant to the said order, now the WAKF Board has passed an order dated 30.09.2015.

4. Learned counsel appearing for the WAKF Board has submitted that three months time could be given to conduct the election.

5. In view of my order dated 02.09.2015 and the order dated 30.09.2015 of the WAKF Board, I am of the view that nothing survives for further adjudication in these Civil Revision Petitions.

6. Accordingly, these Civil Revision Petitions are disposed of in terms of the order dated 30.09.2015 of the WAKF Board and the election could be conducted to the above said Mosque as per the order dated 30.09.2015 of the WAKF Board within a period of three months. No costs. Consequently, connected miscellaneous petition is closed.

30.10.2015

Index : Yes
Internet: Yes
vsm

Note: Issue order copy Today (30.10.2015)

To

The I Assistant City Civil Judge,
Wakf Tribunal, Chennai.

D.HARIPARANTHAMAN,J.

vsm

C.R.P(PD) Nos.3267 and 3280 of 2015

30.10.2015