

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.06.2016

CORAM

THE HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
THE HON'BLE MR. JUSTICE R.MAHADEVAN

O.S.A.No.121 of 2014

1.S.Dilshad
2.S.Nishad Ahmed
3.S.Humara
4.S.Roshanhara
5.J.Nooma
6.S.Khader
7.S.Shakira
8.M.Shiraz
9.M.Sujath
10.M.Lalila Begum
11.T.Parveen

.. Appellants

vs

1.S.Neelavathi
2.S.Ravi
3.M.Gomathi
4.P.Anjana Priya
5.The Principal Secretary &
Secretary to Government,
Fort St. George,
Chennai-600 009.
6.The Collector,
Chennai District,
Chennai-600 001.
7.The Tahsildar,
Greenways Road,
Raja Annamalaipuram,
Chennai-600 028.

8.The Secretary,
Tamil Nadu Wakf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai-600 001.

9.S.M.Nazureen Fakri

10.S.M.Kamaludeen

11.S.M.Nizamudeen

12.S.M.Abdul Nazir

13.S.M.Abdul Khader

14.T.Kasturi

15.T.Sugumar

16.T.Manikandan

17.Lakshmi

18.P.Navaneetharaj

.. Respondents

Appeal filed under Order XXXVI, Rule 9 of Original Side Rules read with Clause 15 of Letters Patent against the order made in Application No.4968 of 2013 in C.S.No.551 of 2013, dated 03.01.2014.

For Appellant .. No Appearance

For Respondent .. Mr.Ravichandran Sundaresan
for R1 to R4

Mr.STS.Moorthy

Govt. Pleader for R5 to R7

Mr.V.Lakshminarayanan for R8

Mr.Zafarullah Khan for R12 & R13

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JUDGMENT

(Judgment of the Court was delivered by The Hon'ble Chief Justice)

Notice was issued in the appeal on 28.04.2014. Service was not complete. On 30.03.2016, none appeared for the appellants. But we deferred adverse orders and required the appellants to ensure service is complete. On 02.06.2016, we found that no steps had been

taken to file Batta nor any affidavit in respect of the private service and thus, last opportunity was granted to comply with the directions, failing which the appeal would stand dismissed for non-prosecution. Still no steps have been taken. We are informed that respondent Nos.16 to 18 also passed away quite some time back and no steps have been taken to implead the legal heirs.

2. In view of the peremptory nature of the order already passed on 02.06.2016, the appeal is dismissed for non-prosecution. No costs.

(S.K.K., CJ.) (R.M.D.,J.)
30.06.2016

Index : Yes/No
Internet : Yes/No
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To

The Sub Assistant Registrar,
Original Side, High Court, Madras.

The Hon'ble Chief Justice
and
R.Mahadevan, J.

bbr

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