

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Thursday, the Twentieth day of July Two Thousand Seventeen

PRESENT

THE HON`BLE MR JUSTICE M. SATHYANARAYANAN

AND

THE HON`BLE MR JUSTICE N. SESHASAYEE

CMP No.11814 of 2017

IN CRP.938/2010

1 ALHAJ V. SHEIK ABDUL KHADER [PETITIONERS]
S/O. VAPU LABBAI SAHIBM NO. 2/37, KALMADU
STREET, NAGOOR

2 V.SYED MOHAMMED HUSSAIN
SABIB, S/O. V. GHOUSE HUSSAIN SAHIB, NO.
11/10-A, KALMARK STREET, NAGOOR -611 002

3 SYED PEER MOHAMMED SAHIB,
S/O. HAJI MOHAMMED ALI SAHIB, NO.45,
KALMARK STREET, NAGOOR -611002

Vs

1 THE TAMIL NADU WAKF BOARD [RESPONDENTS]
REP BY ITS CHIEF EXECUTIVE OFFICER, NO. 1,
JAFFER SYRANG STREET, VALLA SEETHAKATHI
NAGAR, CHENNAI -600 001

2 NAGOOR DARGAH,
REP. BY ITS TRUSTES, MUHALLI MUTHAVALLI K.
MOHAMMED KHALIFA DARGAH MANAGING TRUSTEE

3 M.S. SYED ABDUL FATAH SAHIB

4 M.S. MOHAMMED ABUBACKER SAHIB

5 S.A. SHEIK HELAN SAHIB

6 S.M. SYED HAJA MOHIDEEN SAHIB

7 S.M.B. SULTHAN KABEER SAHIB
@ MINAR SAHIB,

8 HAJEE S. SULTHAN
BAVA SAHIB

9 HAJI MUHALLI H. HAJA VAMBJOOR
FAKIR SAHIB KHADIN

10 THE MANAGER
NAGOOR DARGAH

11 THE PRESIDENT
DARGAH ADVISORY BOARD NAGOOR NO. 2 TO 11
HAVING OFFICE AT NAGOOR DARGAH DARGAH ROAD,
NAGOOR

12 ALI HUSSAIN SAHIL
FAIZI S/O GULAM AGADER SAHIB @ THAMBI
SAHIB 4, DARGH KULAM MELKARAI NAGORE
611 002

as per order dt.21/07/2017

Nos. 2 to 11 having their office at
Nagoor Dargah, Dargah Road, Nagoor.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to implead them herein as Respondents 12 to 14 in the above CRP(in CMP No.11814 of 2017) pending disposal of the above CRP.938/2010

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.T.VELUMANI, Advocate for the petitioner and of M/S. V.RAGAVACHARI, Advocate, of the Respondents the court made the following order:-

[Order of the Court was made by M.SATHYANARAYANAN, J.]

This petition has been filed by the petitioners/3rd parties seeking to implead them as Respondents 12 to 14 in the above Civil Revision Petition.

2. Heard both sides.

3. A perusal of the affidavit filed in support of this petition would disclose that it is not even the case of the petitioners that their interests as the persons belonging to Kasupangadargal in the Trust has not been protected for the reason that the appellant in W.A.No.1640 of 2016 is also eshausing the very same cause. Merely multiplying the respondents is of no use for the reason that this Court is called upon to adjudicate the jurisdiction aspect only.

4. In the light of the same, this Court is of the view that the impleading petition filed by the proposed respondents / petitioners, is lacks merits. If we entertain these kind of petitions, every member may seek to implead for the very same reason, which may lead to multiplication of parties.

5. In view of the same, this Miscellaneous Petition is dismissed.

-sd/-
20/07/2017

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE SCHEME JUDGE
(DISTRICT JUDGE) NAGAPATTINAM

C.C. to M/S.T.VELUMANI Advocate on payment of necessary charges

The Government Advocate, High Court, Madras - 104.

Order

in
CMP.11814/2017

in
CRP.938/2010

Date :20/07/2017

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
VC (28/07/2017)