

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 22.11.2018

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

Cont.P.No.1937 of 2018

A.Mohammed Ali

.. Petitioner

Vs

Mr.Mohammed Aslam,
The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1 Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai.1

.. Respondent

Contempt Petition filed under Section 11 of the
Contempt of Courts Act 1971, praying to punish the respondent
for contempt of court for having violated deliberately and
wantonly the order of this Court dated 07.02.2018 and made
in W.P.2694/18.

For Petitioner

: Mr.N.A.Nissar Ahmed

For Respondent

: Mr.Mohammed Fayaz Ali

O R D E R

This contempt petition is filed by complaining that
the order passed by this Court in W.P.No.2694 of 2018 dated

07.02.2018, has not been complied with.

2. This Court, while disposing the said Writ Petition has directed the respondent therein, to consider the request of the petitioner dated 25.01.2018 for conducting election to Netaji Nagar Burma Tamil Muslim Jumma Mosque, Chennai, and pass orders on merits and in accordance with law within a period of two weeks from the date of receipt of a copy of this order.

3. After notice in this contempt petition, counter affidavit is filed by the respondent, wherein it is stated that the order passed by this Court has been duly complied with by sending a communication to the petitioner on 16.04.2018 stating that the Waqf Tribunal passed an order on 10.09.2015 stating that the Tamil Nadu Waqf Board does not have the power to conduct the election and the Waqf Committee alone has the powers. Thus, it is stated in the counter that the said information was communicated to the petitioner also by informing that the respondent has taken steps to set aside the order passed by the Tribunal and as soon as the result is obtained on the merits of case, the application of the petitioner will be considered accordingly.

4. When such being the factual position, by issuing an order/communication dated 16.04.2018, I do not think that the petitioner is justified in filing the contempt petition as though the order passed by this Court has been violated.

Accordingly, I find that the contempt petition is mis-conceived and hence, the same is dismissed.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

sni

//Certified to be true copy//

Dated at Madras this the day of 2019.

COURT OFFICER (O.S.)

from 25th day of September 2008 the Registry is issuing Certified copies of the Orders/Judgments/Decrees in this format.

PS/03/12/2018

To

The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1 Jaffer Syrang Street,
Vallal Seethakathi Nagar, Chennai.1

सत्यमेव जयते
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