

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2018

C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

W.P.No.10047 of 2004
and
W.P.M.P.No.11726 of 2004

1.S.Salauddin
2.B.Khuthubdin Petitioner

Vs.

- 1.The State of Tamil Nadu
Rep by its Secretary to Government
Commercial Taxes & Religious Endowment
Fort St. George, Chennai - 600 009.
- 2.Tamil Nadu Wakf Board
Rep by its Chair Person
New No.7, (Old No.4), 9th Cross
Indira Nagar, Chennai - 600 020.
- 3.The Chief Executive Officer
Tamil Nadu Wakf Board
New No.7, Old No.4, 9th Cross
Indira Nagar, Chennai - 600 020.
- 4.Hazarath Syed Kuthbishah Dargah
Rep by its Executive Trustee
Thennur, Trichy - 17. Respondents

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records of the 2nd respondent relating to its Resolution dated 5.2.2004 in Sl.No.2 Item No.95 of 1999 in R.C.No.10881/C1/90/TRY and quash the same.

For Petitioner : Mr.P.Dinesh Kumar
for M/s.Sarvabhauman Associates

For Respondents : Mr.K.S.Suresh, Govt. Advocate
(For R1)
Mr.V.Lakshminarayanan (For R2 to R4)

O R D E R

Mr.S.Parthasarathy, learned Senior Counsel appearing for the Petitioner submits that the Petitioner has an effective alternate remedy under the Wakf Act to sue before the Wakf Tribunal and further states that the suit shall be instituted in the competent court of jurisdiction and he has made an endorsement to that effect.

2.Recording the same, the Writ Petition is dismissed as withdrawn. It is made clear that the period of pendency of this Writ Petition shall be excluded while computing the period of limitation in filing such suit as aforesaid. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

may
To

1.The secretary to Govt.
state of tamil Nadu
Commercial Taxes & Religious Endowment
Fort St. George, Chennai - 600 009.

2.The Inspector of Police, CCIW, Vellore.

+1 cc to MR.V.RAGAVACHARI Advocate SR.NO. 49634

+1 CC TO GOVERNMENT PLEADER SR.NO.50386

W.P.No.10047 of 2004

ASK(28/08/2018)

सत्यमेव जयते

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