

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 02.08.2019

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.7806 of 2004
and WP.MP.Nos.9263 of 2004
and WV.MP.No.722 of 2004
and WP.MP.No.117 of 2015

1. K.A.S. Haji Khader Sahib
 2. Janab S.A.Mohamed Ali
- ...Petitioners

Vs

1. The Chief Executive Officer,
Tamilnadu Wakf Board,
New No.7, (Old No.4),
9th Cross Street,
Indira Nagar, Adayar,
Chennai 600 020.
 2. The Tamilnadu Wakf Board,
by its Chairperson,
Indira Nagar, Adayar,
Chennai 600 020.
 3. Janab Khader Batcha Shahib
 4. Janaba Fathima Begum
 5. Janaba Shageetha Begum
 6. Haji Najib Batcha Shahib
- ..Respondents
- [Respondents 3 to 6 are impleaded
as per the order of this Court, dated 24.06.2004,
in WPMP.No.12525 of 2004 in WP.No.7806 of 2004]

Prayer:- The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorari to call for the records on the file of the 2nd respondent in his proceedings Sl.No.17, Item No.100/2003 in R.C.No.6639 / B3 / 03 / ERD, dated 24.09.2003 and quash the same.

For Petitioners: Mr.S.K.Nachimuthu

For Respondents: Mr.LSM Hazan Fizal, for RR1 & 2
Mr.A.K.Kumarasamy, for RR3 to 6
Mr.Nissar Ahmed, for R5

ORDER

This Writ Petition has been filed challenging the removal of Muthavalli of Sarkar Chinna Agraharam - Shaik Alauddin Badusha Oulia Dargha in Erode District.

2. Heard the learned counsels appearing on either side and perused the materials available on record.

3. It is not in dispute that as against the decision of the Tamil Nadu Wakf Board, the remedy of the petitioners is before the Wakf Tribunal. Hence, this Writ Petition is dismissed as not maintainable with liberty to the petitioners to file an appeal before the Wakf Tribunal. If any appeal is filed by the petitioners within a period of four weeks from the date of receipt of a copy of this order, the Tribunal shall dispose of the same in accordance with law. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

pvs

To

1. The Chief Executive Officer,
Tamilnadu Wakf Board,
New No.7, (Old No.4),
9th Cross Street,
Indira Nagar, Adayar,
Chennai 600 020.

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2. The Tamilnadu Wakf Board,
by its Chairperson,
Indira Nagar, Adayar,
Chennai 600 020.

+1cc to M/s.N.A.Nissar Ahmed, Advocate Sr.66490
+1cc to M/s.T.M.Hariharan, Advocate Sr.66368

W.P.No.7806 of 2004

rr[col]
srg 01/10/2019



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