

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.23528 of 2016
and W.M.P.No.20154 of 2016

S. HasanAmbalam

... Petitioner

-Vs-

1.The Tamil Nadu Waqf Board,
Represented by its Chief Executive Officer,
No.1, JafferSyrang Street,
Valla Seethakadhi Nagar,
Mannady, Chennai - 600 001.

2.The State, Represented by its
Inspector of Police, S1, Police Station,
St., Thomas Mount, Chennai - 600 016.

3.K.A. Shabudeen,
President, Butt Road, Jumma Masjid Waqf,
No.5/64, Butt Road, St. Thomas Mount,
Chennai - 16.

4.S.Jawahar Ali,

5.Butt Road Jumma Masjid Waqf,
No.5/64, Butt Road, St. Thomas Mount,
Chennai - 16.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 2nd respondent not to indulge in the civil issue and to interfere in the affairs of the Waqf based on the letter dated 26.06.2016 sent by 3rd and 4th respondents which is under the supervisory control of the 1st respondent.

For Petitioner : M/s A. Ajimath Begam

For Respondents 1 & 5 :Mr.V.Lakshminarayanan R1 & 5

For Respondent-2 : Mr.M.Mohamed Riyaz

Additional Public Prosecutor R2

For Respondents 3&4 : M/s.N.Sathyamoorthi R3 & R4

ORDER

This writ petition has been filed by the writ petitioner seeking a direction directing the 2nd respondent not to indulge in the civil issue and interfere in the affairs of the Waqf based on the letter dated 26.06.2016 sent by 3rd and 4th respondents which is under the supervisory control of the 1st respondent.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the 2nd respondent and learned counsel appearing for the respondents 1, 3, 4, 5 and perused the materials available on record.

3. The learned Additional Public Prosecutor submitted that the FIR was registered based on the letter dated 26.06.2016 submitted by the 3rd and 4th respondents in respect of the civil dispute between the petitioner as well as counter parties. Following the same, the second respondent police have registered a case in Crime Nos.215 and 216 as against the petitioner as well as the 3rd and 4th respondents.

4. Considering the facts and circumstances of the case and as the case of the year 2016 and the civil dispute is in respect of Waqf property as against the petitioner as well as the counter parties, and that the respondent police have registered a case in Crime Nos.215 and 216 of 2016 as against the petitioner as well as the counter parties, the prayer sought for in this writ petition by the petitioner cannot be considered and it is devoid of merits and hence, the petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

s/d-

Assistant Registrar (CS VI)

True Copy

Sub-Assistant Registrar

msm

To

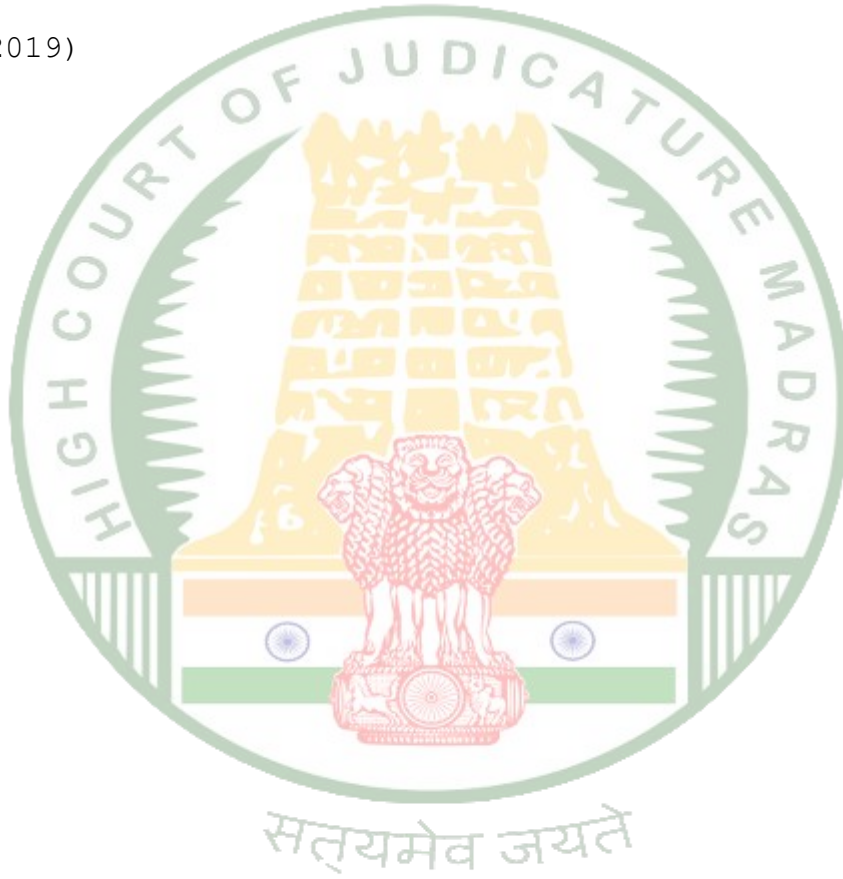
1. The Chief Executive Officer,
Tamil Nadu Waqf Board,
No.1, JafferSyrang Street,
Valla Seethakadhi Nagar,
Mannady, Chennai - 600 001.

2. Inspector of Police,
State of Tamil Nadu, S1, Police Station,
St., Thomas Mount, Chennai - 600 016.

3. The Public Prosecutor,
High Court, Madras.

W.P.No.23528 of 2016

PPA (CO)
SP (27/05/2019)



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