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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2019

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 10229 of 2019
and
W.M.P. No. 10793 of 2019

Pudur Periya Pallivasal

... Petitioner

-vs-

1. The Government of Tamil Nadu,
rep. By the Secretary to Government,
Backward class, Most Back Ward Class &
Minority Welfare Department,
Chennai - 600 009.
2. The Tamil Nadu Wakf Tribunal,
Rep. By its Chairman,
No. 5, Kamarajar Salai, Chennai - 600 005.
3. Tamil Nadu Wakf Board,
Rep. By its Chairman,
No.1 Jawfar Srirang Street,
Vallal Seethagathi Nagar,
Behind Custom Office, Chennai - 600 001.
4. The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1 Jawfar Srirang Street,
Vallal Seethagathi Nagar,
Behind Custom Office, Chennai - 600 001. ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the First Respondent to take such action, as may be necessary, to incorporate necessary provisions in the relevant Rules namely Tamil Nadu Waqf Tribunal (Conditions of service and procedure) Rules, 2016 enabling the Chairman and or the chairman along with the existing member of the Second Respondent Tribunal to pass suitable order, or orders and or interim orders in the proceeding pending before it, in the eventuality of absence any of the member or members of the Tribunal due to retirement or resignation or removal or on leave or due to any other contingencies.



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For Petitioner : Mr. V.G. Guhan Murugan
For Respondents: Mr. R. Venkatesh
Government Advocate for R-1.
Mr. L.S.M. Hasan Fizal for R-2 to R-4

O R D E R

When it is pointed out that the Mosque in question is situated within the territorial limits of jurisdiction of the Madurai Bench of this Court and that substantial part of the cause of action has also arisen within that territorial jurisdiction, Learned Counsel for the Petitioner seeks permission of this Court to withdraw this Writ Petition with liberty to file a fresh Writ Petition before the Madurai Bench of this Court for the relief sought and he has also made an endorsement, which is recorded.

2. Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty. Consequently, the connected Miscellaneous Petitions are closed. No costs.

-s/d-
Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

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To

1. The Secretary to Government,
The Government of Tamil Nadu,
Backward class, Most Back Ward Class &
Minority Welfare Department,
Chennai - 600 009.
2. The Chairman,
The Tamil Nadu Wakf Tribunal,
No. 5, Kamarajar Salai, Chennai - 600 005.
3. The Chairman,
Tamil Nadu Wakf Board,
No.1 Jawfar Srirang Street,
Vallal Seethagathi Nagar,
Behind Custom Office, Chennai - 600 001.



4. The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1 Jawfar Srirang Street,
Vallal Seethagathi Nagar,
Behind Custom Office, Chennai - 600 001.

+1 CC to Mr.L.S.M. Hasan Fizal, advocate sr 92629
+1 CC to Mr.R. Balachandran, Advocate sr 91875.

W.P. No. 10229 of 2019

SV(CO)
SP(09/12/2019)