

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.09.2019

CORAM:

THE HONOURABLE Mr. JUSTICE R. SURESH KUMAR

C.R.P. (PD). No. 1900 of 2019

1. Kaleelur Rahman
 2. S. Abdul Saleem
 3. S. Kadar
- ... Petitioners

-Vs-

1. The Tamil Nadu Waqf Board,
Represented by its Chairman,
No. 1, Jafar Sirang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.
 2. The Chief Executive Officer,
Tamil Nadu Waqf Board,
No. 1, Jafar Sirang Street,
Chennai - 600 001.
 3. M. Syed Salavutheen
 4. S. Sheik Mydeen
 5. M. Sha Mohamed Athikullah
- ... Respondents

Prayer : Petition filed under Article 227 of the Constitution of India to direct the Hon'ble Waqf Tribunal at Chennai to dispose expeditiously I. A. No. 224 of 2019 in O.A. No. 310 of 2019.

For Petitioners : Mr. M. Ganesh

For Respondents : Mr. H. Yameen Ali

ORDER

This Civil Revision Petition has been filed with the prayer to the trial Court i.e., Waqf Tribunal, Chennai to decide I. A. No. 224 of 2019 in O.A. No. 310 of 2019 pending before the said Waqf Tribunal, expeditiously within a time frame stipulated by this Court.

2. Heard Mr. M. Ganesan, learned counsel appearing for the petitioners and Mr. H. Yasmeeen Ali, learned counsel appearing for the respondents.

3. The revision petitioner having been suffered with an order passed by the Tamil Nadu Waqf Board i.e., first respondent herein dated 01.08.2018 in Se.Mu.Order No. 10996/03/Aa5/Trichy filed the main O.A. i.e., O.A. No. 310 of 2019 before the Waqf Tribunal, Chennai. In the said O.A., I.A. No. 224 of 2019 has been filed to stay the operation of the impugned order therein.

4. Though the I.A. has been filed along with O.A., time and again by giving adjournment without showing progress, it has been kept pending. Hence the petitioners seek for stay and early disposal of the aforesaid I.A.

5. Learned counsel appearing for the respondents would also submit that, there has been change in the constitution of the first respondent, that is the reason why the counter has not been filed on behalf of the first respondent and within a reasonable time, counter would be filed in the said I.A, thereafter let the Tribunal decide the I.A. within a time frame to be stipulated.

6. I have considered the said submission made by both sides and perused the materials placed before this Court.

7. In view of the submissions made by the learned counsel for both sides, this Court is inclined to dispose of this revision in the following terms:

R. SURESH KUMAR, J.
vji

"(i) That the first respondent / Tamil Nadu Waqf Board, is hereby directed to file counter in I.A. No. 224 of 2019 in O.A. No. 310 of 2019 pending before the Waqf Tribunal, Chennai within a period of 30 days from today.

(ii) On receipt of the counter, the Waqf Tribunal, Chennai is hereby directed to decide the said I.A., within a period of 30 days thereafter on merits and in accordance with law."

8. With these directions, the Civil Revision Petition is disposed of.

No costs.

30.09.2019

Index : Yes / No

Speaking order / Non speaking order

vji

Note: Issue order copy by 03.10.2019.

To

1. The Chairman

The Tamil Nadu Waqf Board,
No. 1, Jafar Sirang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

2. The Chief Executive Officer,

Tamil Nadu Waqf Board,
No. 1, Jafar Sirang Street,
Chennai - 600 001.



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