

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.09.2020

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P. No.12702 of 2020

and

WMP. Nos.15692, 15693 and 15694 of 2020

Thirumalai alais Ganesh,
No.2 Pappu Masthan Dargah,
Main Street, Dr.Natesan Rd,
Triplicane, Chennai. ... Petitioner

Vs.

1 Estate Officer,
Waqf House, No.1, Jaffar Syrang St,
Vallal Seethakathi Nagar, Chennai-01.

2 Nawab Khirunissa Begum Sahiba Endowment,
Hazrath Pappu Masthan Dargah Waqf,
rep by its President/ Muthuwali Having
office at No.31 Big St, Triplicane, Chennai.
... Respondents

Prayer: Writ Petition filed under Article 226 of the
Constitution of India praying to Writ of Certiorari to call
for the entire records pertaining order passed by the second
respondent estate officer in the case No. 175/ che/ 2018 and
quash the same.

For Petitioner : Mr.P.Thineth

O R D E R

The petitioner has challenged an order passed by the Estate Officer, Waqf House dated 17.02.2020. The order has been passed ex-parte since the petitioner, the respondent before the Estate Officer in P.P.No.75/CHE/2018, did not appear on the date of hearing. The Estate Officer has at para 5 onwards recorded the position that there were no replies by the petitioner to the notices issued by the authority calling upon him to show cause as to why an order of eviction not be passed, and neither did he

appear on the various dates set out in the impugned order before the Estate Officer.

2. I am not inclined to entertain this writ petition as the proper remedy in such matter would be to approach the Estate Officer or file an appeal against the aforesaid order in the appropriate District Court. In fact, learned counsel for the petitioner states that he has rightly filed an application before R1 seeking to set aside the impugned order. This application may well be pursued.

3. There being no merit in this writ petition, the same is dismissed. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

- 1 Estate Officer,
Waqf House, No.1, Jaffar Syrang St,
Vallal Seethakathi Nagar, Chennai-01.
- 2 Nawab Khirunissa Begum Sahiba Endowment,
Hazrath Pappu Masthan Dargah Waqf,
rep by its President/ Muthuwali Having
office at No.31 Big St, Triplicane, Chennai.

+1cc to Mr.P.Thinesh, Advocate, sr no.31088

W.P. No.12702 of 2020

and

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AJS (CO)

RMP(13/10/2020)

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