

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2021

CORAM

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

C.R.P. (PD) No. 2508 of 2013

V.J.Noorullah
Petitioner

...

-VS-

1. The Government of Tamil Nadu,
Rep. by its Secretary,
Local Administration Department,
Secretariat,
Chennai - 600 009.
2. The Commissioner,
Arcot Municipality - 632 503,
Vellore District.
3. The District Elementary School Officer - Vellore,
Vellore - 4.
4. The Tamil Nadu Wakf Board,
Rep. by its Chief Executive Officer,
No. 1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

... Respondents

Prayer:- Civil Revision Petition filed under Article 227 of the Constitution of India, 1950, praying to direct the Learned Subordinate Judge to take the action against the Respondents by penalizing them according to law in order to safeguard the majesty of the Court as per the provisions of the Contempt of Courts Act, 1971, and stop all further demolition of the school structure

pending disposal of the main petition in I.A. No. 1 of 2011 in W.O.P. No. 1 of 2011 on the file of the Subordinate Judge, Vellore and dispose the same within a stipulated time.

For Petitioner : No appearance

For Respondents : Mr. Y.T.Aravind Gosh,
Additional Government Pleader (for R1)

No appearance (for R2)

Mr. C.Munusamy,
Special Government Pleader (for R3)

Mr. Haja Mohideen Gisthi (for R4)

ORDER
(through video conference)

There is no representation for the Petitioner and the Second Respondent when the matter is called at 2.45 p.m.

2. Heard Y.T.Aravind Gosh, Learned Additional Government Pleader appearing for the First Respondent, Mr. C.Munusamy, Learned Special Government Pleader appearing for the Third Respondent and Mr. Haja Mohideen Gisthi, Learned Counsel for the Fourth Respondent and perused the materials placed on record, apart from the pleadings of the parties.

3. The Civil Revision Petition has been filed by the Petitioner to direct the Subordinate Court, Vellore to take the action against the Respondents by penalizing them according to law in order to safeguard the majesty of the Court as per the provisions of the Contempt of Courts Act, 1971, and stop all further demolition of the school structure pending disposal of the main petition in I.A. No. 1 of 2011 in W.O.P. No. 1 of 2011 on the file of the Subordinate Court, Vellore and dispose the same within the stipulated time.

4. It has been brought to notice by the Learned Counsel for the Fourth Respondent that after the filing of the Civil Revision Petition, the said proceedings has been transferred from the file of the Subordinate Court, Vellore to the Tamil Nadu Waqf Tribunal, Chennai under the provision of the Waqf Act, 1995, and re-numbered as O.A. No. 288 of 2019 and he has also filed a memo dated 03.03.2021 to that effect.

5. Since the matter is not pending before the Subordinate Court, Vellore, it can no longer pass any order as sought by the Petitioner in the Civil Revision Petition. This would not, however, preclude the Petitioner from seeking

appropriate relief before the Tamil Nadu Waqf Tribunal, Chennai in accordance with law and no view is expressed by this Court on the correctness or entitlement of the claim made by the Petitioner in that regard.

Accordingly, the Civil Revision Petition is disposed with the aforesaid clarifications. No costs.

03.03.2021

vjt

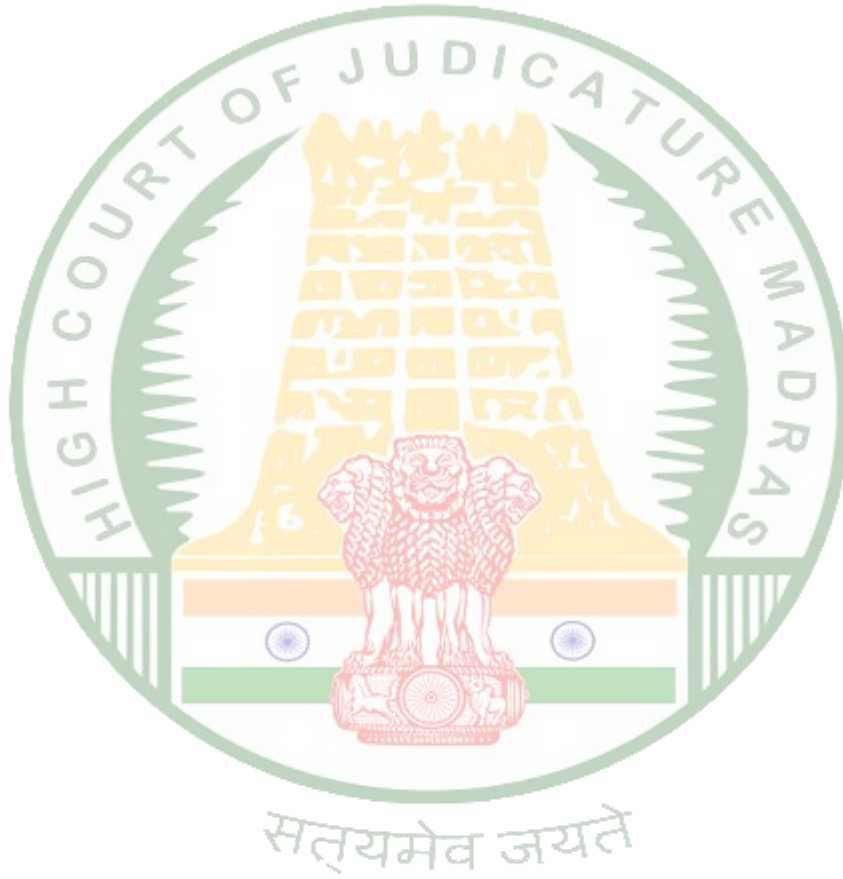
Index: Yes/No

Note: Issue order copy by 11.03.2021.

To

1. The Government of Tamil Nadu,
Rep. by its Secretary,
Local Administration Department,
Secretariat,
Chennai - 600 009.
2. The Commissioner,
Arcot Municipality - 632 503,
Vellore District.
3. The District Elementary School Officer - Vellore,
Vellore - 4.
4. The Chief Executive Officer,
Tamil Nadu Wakf Board,
No. 1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

5. The Subordinate Court,
Vellore.
6. The Tamil Nadu Waqf Tribunal,
Kamarajar Salai,
Triplicane,
Chennai - 600 005.



WEB COPY

C.R.P. (PD) No. 2508 of 2013

P.D. AUDIKESAVALU, J.

vjt



C.R.P. (PD) No. 2508 of 2013

WEB COPY

03.03.2021