



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P. [MD]No.5490 of 2015

and

MP (MD) NO. 1 & 2 of 2015

WEB COPY

M.Anwar

... Petitioner

Vs.

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Revenue Divisional Officer,
Tirunelveli.

3.The Tahsildar,
Tirunelveli Taluk,Tirunelveli.

4.The Inspector of Police,
Thachanallur Police Station,Tirunelveli.

5.The Chairman,
Wakf Board,
No.1, Seethakathi Street,
Alwarpet, Chennai.

6.The Inspector,
Wakf Board,
Tirunelveli.

7.Kareemsha Taika,
Rep. by its Muttawali,
Mohammed Sheriff,
Tirunelveli.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, forbearing the respondents from interfering in civil dispute which is relating to the land in Survey No.545 to 552, T.S.No.2,3,4,5,6,9,10,11 to an extent of 25 acres situated at Kandiaperi-II Village, Tirunelveli belongs to the Farusullasha Pakeer Taika Wakf.

For Petitioner

: T.Selvan

For Respondents 1 to 4

: Mr.M.Lingadurai
Special Government Pleader

For Respondents 5 & 6

: Mr.G.Chandrasekaran

For Respondent No.7

: Ms.Sivatharsana
for Mr.M.P.Senthil



O R D E R

Mr.T.Selvan, learned Counsel for the writ petitioner, Mr.M.Lingadurai, learned Special Government Pleader for respondents 1 to 3 who also represents the Additional Public Prosecutor for respondent No.4, Mr.G.Chandrasekaran, learned Standing Counsel for Tamil Nadu Wakf Board on behalf of respondents 5 & 6 and Ms.Sivatharsana, representing Mr.M.P.Senthil, learned Counsel on record for the seventh respondent (private respondent) are before this Court.

2.Learned Counsel for writ petitioner very fairly points out that the writ petitioner is no more and the date of demise is 13.02.2020.

3.I am inclined to dispose of the writ petition as closed, owing to the demise of the writ petitioner. However, a perusal of the case file reveals that the matter pertains to a tussle regarding what is said to be immovable property of a public Wakf. Therefore, if any other entity or individual approaches the proper forum / fora with regard to the same matter, this order will neither impede nor serve as an impetus *qua* such proceedings. The reason is the captioned writ petition is being closed without expressing any view or opinion on the merits of the matter, leaving open all questions in the captioned writ petition.

4.In the light of the narrative thus far, captioned writ petition is disposed of as closed. Consequently, captioned miscellaneous petitions are closed. There will be no order as to costs.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

MR

NOTE: *In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.*



To

1.The District Collector,
Tirunelveli District, Tirunelveli.

2.The Revenue Divisional Officer,
Tirunelveli.

3.The Tahsildar,
Tirunelveli Taluk,
Tirunelveli.

4.The Inspector of Police,
Thachanallur Police Station,
Tirunelveli.

+1 CC to M/s.M.P. SENTHIL, Advocate (SR-35098[F] dated 19/11/2021)

+1 CC to M/s.G. CHANDRASEKAR, Advocate (SR-35291[F] dated
22/11/2021)

+1 CC to M/s.SPL GP (SR-35204[F] dated 19/11/2021)

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MGJ(08.12.2021) 3P 8C