



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.12.2021

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

C.R.P(MD)No.2019 of 2021

and

C.M.P(MD) No.10816 of 2021

WEB COPY

1.Meer Hasanulla Sha Dargah Wakf
Represented through its President,
Pensioner Street, Tennur,
Trichy-620 017.

2.S.Nazeer Basha

3.M.Mahaboob Shariff

... Petitioners/Plaintiffs

Vs.

1.Syed Jamal
2.Asraf Nisha
3.Jahir Hussain
4.Hameetha Banu

5.Tamilnadu Wakf Board
Represented through its
Chief Executive Officer,
Vallal Seethakathi Nagar,
Chennai-1.

... Respondents/Defendants

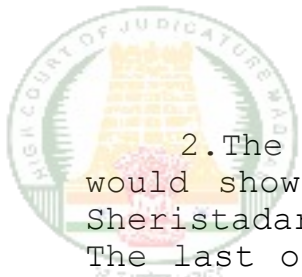
PRAYER:- Civil Revision Petition filed under Article 227 of Constitution of India, to direct the Tamilnadu Wakf Tribunal, Chennai, to take the plaint in O.A.unnumbered (S.R.No.218/2021) on file and proceed with the case in accordance with law and allow this civil revision petition.

For Petitioners : Mr.A.Haja Mohideen

For R5 : Mr.D.S.Haroon Rasheed
Standing Counsel

ORDER

The above civil revision petition is filed challenging the frequent returns being made by the Wakf Tribunal.



2.The last of the return is dated 24.09.2021. The return sheet would show that most of the returns have been signed only by the Sheristadar of the Wakf Tribunal and not by the Presiding Officer. The last of the return has once again being made and signed by the Sheristadar.

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3.Most of the returns are on the merits of the case. Though each of the return is re-presented by the petitioner giving detailed explanation, however, once again the petition is being returned. The last of which was on 24.09.2021, where return Nos.2 and 3 appear to be on merits of the case, which have to be questioned by the respondent on their entering appearance in OA.

4.The petitioner is directed to re-present the papers and the Tribunal shall either number the OA or if the learned Judge is not convinced with the explanation, he shall call the matter in the open Court and pass speaking orders there upon.

5.The Registry is directed to return the papers to the petitioner after getting due acknowledgement. The said papers shall be re-presented before the Wakf Tribunal within 10 days from the date of receipt of the papers with orders of this Court. The Wakf Tribunal shall within 15 days thereafter pass orders either numbering the application or rejecting it with speaking orders.

6.With the above direction, this Civil Revision Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

cp

Note (ii) 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:-

The Tamilnadu Wakf Tribunal,
Chennai.

COPY TO:

1. The Chief Executive Officer,
Tamilnadu Wakf Board
Vallal Seethakathi Nagar,
Chennai-1.
2. The Section Officer,
E.R. Section,
Madurai Bench of Madras High Court,
Madurai.

MGJ
16/12/2021
3P/4C

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and
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15.12.2021