



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P.[MD]No.205 of 2016

and

W.M.P.[MD]No.167 of 2016

WEB COPY

M.Muthar Mohideen

... Petitioner

Vs.

1.The Chairman,
Tamil Nadu Waqf Board,
No.1, Jafer Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

2.The Chief Executive Officer,
Tamil Nadu Waqf Board,
No.1, Jafer Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

3.The Waqf Inspector,
Tenkasi.

4.Mohamed Kasim

5.Peer Mohideen

6.Shaik Uduman

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the third respondent and quash the selection for the administration of the Pallivasal held on 11.12.2015 and direct the respondents 1 and 2 to conduct fresh election in democratic manner as per the provisions of the Wakf Act.

For Petitioner : No appearance
For Respondents 1 to 3 : Mr.G.Chandrasekar
Standing Counsel
For Respondents 4 to 6 : Mr.A.Hajamohideen

O R D E R

Read this in conjunction with and in continuation of earlier proceedings made in previous listings on 15.11.2021, 16.11.2021 & 17.11.2021, which read as follows:

' **15.11.2021:**

<https://hcservices.ecourts.gov.in/hcservices/> Mr.G.Chandrasekar, learned Standing Counsel



for Tamil Nadu Waqf Board on behalf of respondents 1 to 3 has joined the virtual Court. But there is no representation for the writ petitioner as well as respondents 4 to 6 (private respondents) though the names of learned counsel for writ petitioners and learned private counsel for respondents 4 to 6 are duly shown in the cause list.

2. Let this matter be listed tomorrow with the intention of giving opportunity to the writ petitioner, writ petitioner's counsel and private respondents 4 to 6.

List on 16.11.2021.

16.11.2021:

Read this in conjunction with and in continuation of the previous proceedings on 11.11.2021 and 15.11.2021.

2. The position is no different today. In other words, Mr.G.Chandrasekar, learned Standing Counsel for Tamil Nadu Wakf Board on behalf of respondents 1 to 3 alone is before this Court. There is no representation for the lone writ petitioner as well as the private respondents ie., respondents 4 to 6.

3. However, with the intention of giving further opportunity to the writ petitioner and the private respondents, Registry to list this matter again tomorrow.

4. List on 17.11.2021.

17.11.2021:

Read this in conjunction with and in continuation of the earlier proceedings made in three previous listings on 11.11.2021 15.11.2021 and 16.11.2021.

2. The position is no different today. Mr.D.S.Haroon Rasheed, represents Mr.G.Chandrasekar, learned Standing Counsel for Tamil Nadu Wakf Board on behalf of respondents 1 to 3 and he alone is before this Court.

3. This is the third consecutive successive listing, in which there has been no representation for the writ petitioner. Therefore, the captioned



matter shall be listed under the cause list caption 'FOR DISMISSAL' tomorrow.

4. List on 18.11.2021.'

2. Pursuant to aforementioned proceedings dated 17.11.2021, captioned writ petition has been listed today under the cause list caption 'FOR DISMISSAL'. Notwithstanding the captioned writ petition being listed under the caption 'FOR DISMISSAL', the position is no different today. In other words, there is no representation for the writ petitioner though Mr.G.Chandrasekar, learned Standing Counsel on behalf of respondents 1 to 3 and Mr.A.Hajamohideen, learned private Counsel on behalf of respondents 4 to 6 are before this Court.

3. Name of the writ petitioner and writ petitioner's Counsel called out thrice in the Court in the physical hearing part as well as on the video conference, but there is no representation.

4. The narrative thus far which captures the trajectory of the captioned matter brings to light that there has been no representation for the writ petitioner in four successive/consecutive listings and this is the fourth successive/consecutive listing and as already alluded to supra the listing today is under the caption 'FOR DISMISSAL'.

5. Therefore, captioned writ petition is dismissed for default / non-prosecution. Consequently, captioned connected Writ Miscellaneous Petition is also dismissed for default. There shall be no order as to costs.

Sd/-

Assistant Registrar (Records)

// 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 Chairman,
Tamil Nadu Waqf Board,
No.1, Jafer Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

2.The Chief Executive Officer,
Tamil Nadu Waqf Board,
No.1, Jafer Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

3.The Waqf Inspector,
Tenkasi.

+1 CC to M/s.G. CHANDRASEKAR, Advocate (SR-35292[F] dated
22/11/2021)

W.P.[MD]No.205 of 2016
18.11.2021

SR(CO)
KB(02.12.2021) 4P 5C