



C.M.P.No.13507 of 2021
in
S.A.SR.No.90230 of 2020

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P.T.ASHA, J.,

This petition is filed for impleading the petitioner as 3rd defendant which is more or less a formality, since the earlier Muthawalli was the brother of the deponent herein. No other Muthawalli has been appointed. The contention of the petitioner is that he has been appointed as Muthawalli which has been objected to by the respondents. The second appeal is in the condone delay stage and therefore, without impleadment being ordered, the matter cannot be proceeded with as the fourth respondent would go unrepresented.

2. Today, there is no other claimant for the post of Muthawalli of the proposed 3rd respondent/Wakf. Therefore, this petition is allowed, subject to the condition that in the event of any future claim of Muthawalli by shift by any other person, the same shall be contested in the second appeal.

3. Registry is directed to number the second appeal.

15.11.2022

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