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C.R.P. (PD) No.2563 of 2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.08.2022

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

C.R.P. (PD) No.2563 of 2022

M/s.Nawab Khairunissa Begum Sahiba Endowment
& Hazrath Pappu Masthan Dargah Wakf,
Represented by its Joint Secretary,
Having his office at No.31,
Big Street, Triplicane,
Chennai - 600 005.

...

Petitioner

versus

1.Tamil Nadu Wakf Board,
Rep. by its Chief Executive Officer (C.E.O.)
No.1, Jaffar Sayrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

2.R.Mahalakshmi

...

Respondents

PRAYER: Civil Revision Petition has been filed under Article 227 of the Constitution of India, to direct the Hon'ble Tamil Nadu Wakf Tribunal at Chennai to dispose off ad-interim injunction Application in I.A.No.380 of 2022 filed in O.A.No.59 of 2022 at the earliest instance which may be fixed by this Court.



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For Petitioner : Mr.L.Gavaskar

ORDER

This Civil Revision Petition has been filed seeking for a direction to the learned Tamil Nadu Wakf Tribunal, Chennai, for speedy disposal of the application in I.A.No.380 of 2022 in O.A.No.59 of 2022.

2. The revision petitioner is the applicant who has filed the Original Application in O.A.No.59 of 2022 for the recovery of possession and permanent injunction. Pending application, he has also filed an Interlocutory Application in I.A.No.380 of 2022 seeking for certain temporary injunction.

3. The grievance of the revision petitioner is that the first respondent / Wakf Board has kept I.A.No.380 of 2022 pending for long time without passing any orders and that is being taken advantage by the second respondent from putting up a construction in the petition mentioned property.



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4. It is seen from the case adjudication that the matter was posted for filing counter of the respondents 1 and 2 and the time has been extended till 08.08.2022. On 26.07.2022, the Tribunal seems to have passed conditional order that failure to file counter will result an order of *status quo* and the matter stood posted for 08.08.2022. The learned counsel for the petitioner submitted that even on 08.08.2022 no order was passed except for granting further time for filing counter.

5. It is seen that the respondents 1 and 2 had entered appearance only on 26.07.2022 and to dispose a petition filed for temporary injunction the Court has got a statutory time limit of one month, if it an interim injunction is granted. Since the petitioner has filed the petition long time back and the respondents had not chosen to file their counter so far, it is appropriate to impress the learned Tribunal to dispose the matter on merits at the earliest.

6. In the result, this Civil Revision Petition is disposed of and the learned Tamil Nadu Wakf Tribunal, Chennai, is directed to dispose



the application in I.A.No.380 of 2022 in O.A.No.59 of 2022 as expeditiously
as possible. No costs.

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Speaking order / Non-speaking order

Index : Yes / No

Internet : Yes

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To

The Tamil Nadu Wakf Tribunal, Chennai.



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R.N.MANJULA, J.

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