



CRP.No.2677 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

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and

CMP.No.13913 of 2022

- 1.J.Jaffer Sadiq
- 2.K.Shabi
- 3.M.I.Mohammed Nasar
- 4.S.Nagendiran

... Petitioners

Vs.

- 1.Tiruppur Khaderpet Ahle Sunnath Jamath
Masjid & Madrasa Paripalana Sabai
Rep.by its President
A.Salim @ A.Abdul Rahman
No.25, Khaderpet, Tiruppur.
- 2.The Chairman
Tamil Nadu wakf Board
No.1, Jaffer Syrang Street
Vallal Seethakathi Nagar
Chennai 600 001.



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3.The Chief Executive Officer
Tamil Nadu wakf Board
No.1, Jaffer Syrang Street
Vallal Seethakathi Nagar
Chennai 600 001.

4.R.Syed Haroon

... Respondents

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 27.06.2022 passed by the Wakf Tribunal, Chennai, in I.A.No.321 of 2022 in O.A.No.237 of 2019.

For Petitioners : Mr.R.Mohammed Nasurullah

ORDER

The Civil Revision Petition is filed, challenging the order passed by the Tamil Nadu Wakf Board in I.A.No.321 of 2022 in OA.No.237 of 2019, dismissing the petition for impleading the revision petitioner in the main Original Application.

2. The first respondent herein filed an Original Application in OA.No.237 of 2019 seeking injunction restraining the respondents 2 & 3 from exercising their power under Section 65 of the Wakf Board



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Act, except by due process of law. The petitioners herein filed I.A.No.321 of 2022, seeking impleadment in the main Original Application on the ground that they are all tenants under first respondent. The said application was dismissed by the Tribunal by holding that the presence of the petitioners is not at all necessary to decide the lis.

3. Heard the arguments of the learned counsel for the petitioner and perused the typed set of papers.

4. Having regard to the prayer sought for in the main Original Application, the presence of the petitioners, who are claiming themselves as tenants in the suit property under first respondent, is not at all necessary. The first respondent filed a suit for injunction restraining the Wakf Board from exercising its power under Section 65 of the Wakf Board Act, for taking over the Administration of the wakf. The petitioners herein are not having any right over the administration of



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the Wakf and they are only tenants of the Wakf's property, having entered into an agreement with the first respondent. When the petitioners do not have any right on the administration of the Wakf, their presence is not at all necessary to decide the controversy involved in the present original application which is relating to exercise of the statutory power under Section 65 of the Wakf Board Act to assume direct management of the wakf. Therefore, I do not find any illegality or irregularity in the order passed by the Wakf Tribunal.

5. Accordingly, this Civil Revision Petition is dismissed as devoid of merits. No costs. Consequently, the connected miscellaneous petitions are closed.

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Index : Yes / No
Internet : Yes / No
dna



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To

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1.The Wakf Tribunal, Chennai.

2.The Chairman

Tamil Nadu wakf Board
No.1, Jaffer Syrang Street
Vallal Seethakathi Nagar
Chennai 600 001.

3.The Chief Executive Officer

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