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Rev.Aplw.No.228 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.12.2022

CORAM :

**THE HONOURABLE MR.JUSTICE R.MAHADEVAN
and
THE HONOURABLE MRS.JUSTICE N.MALA**

Rev.Aplw.No.228 of 2022
in
W.P.No.24134 of 2022

A.Syed Kaleesha

.. Petitioner

Vs.

1. The Chairman,
Tamilnadu Wakf Tribunal,
Kamarajar Salai, Chennai – 600 005.
2. The Registrar General,
Madras High Court,
Chennai – 600 104.
3. The Secretary,
Law Department,
Secretariat, Chennai – 600 009.
4. The Chairman,
Tamilnadu Wakf Board,
Mannady, Chennai – 600 001.

.. Respondents

PRAYER: This Petition is filed under Order 47 Rule 1 Read with Section 114 of C.P.C, to review the order dated 09.09.2022 in WP.No.24134 of 2022.



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For Petitioner : Mr.A.Syed Kaleesha, Party in Person
For R3 : Mr.P.Muthukumar, GP

ORDER

(Order of the Court was made by R. MAHADEVAN, J.)

Originally, the review applicant filed a Writ Petition in WP.No.24134 of 2022 seeking a direction to the respondents for uploading the case status, orders and cause-list of the Tamilnadu Wakf Tribunal cases in e-courts or in any of the portals or website. By order dated 09.09.2022, the said Writ Petition was disposed of, granting liberty to the Review Applicant to approach the appropriate forum. Aggrieved by the same, the review applicant is before this court to review the said order.

2. It is stated in the Review Application that there is only one Wakf Tribunal for the entire State of Tamilnadu. Several litigants and advocates are coming from remote areas of all parts of Tamilnadu, to the Tribunal. Each of them are attending the cases in person before the Tribunal, however, to know the status of adjudication or to know the cause list, one has to travel a long way



to the Tribunal, instead of getting an update through the latest mode of e-courts. The other Tribunals such as National Green Tribunal (NGT), National Company Law Tribunal (NCLT), Tamilnadu Administrative Tribunal (TAT) etc., have provided access to online updates and they are easily accessible by everyone concerned. On the contrary, there is no such facility available for the Tamilnadu Wakf Tribunal, Chennai. Therefore, the review applicant gave a representation dated 01.11.2021 in this regard, but no action was taken on the same, which compelled him to file the writ petition and the same was disposed of on 09.09.2022. According to the review applicant, the writ petition has not been filed seeking for a virtual hearing and therefore, the observation made in para Nos. 3 and 5 of the order dated 09.09.2022, requires a review.

3. We have heard the Review applicant, who appears in person and the learned Government Pleader appearing for the third respondent and also perused the documents enclosed in the typed set of papers.

4. It is seen from the order dated 09.09.2022, which is sought to be



reviewed, that this Court granted liberty to the review applicant to approach the appropriate forum seeking inclusion of the Wakf Tribunal under the e-courts project, but the review applicant did not avail such opportunity. The observation made in para Nos. 3 and 5 of the order dated 09.09.2022 is only an *obiter dictum*, based on which no conclusion has been arrived at, by this Court, while disposing of the writ petition. Therefore, the review sought for by the review applicant cannot be entertained.

5. At this stage, the review applicant sought liberty to file an appeal before the competent authority after collecting all the required particulars, with regard to the subject matter in issue.

6. In view of the said submission, this Court grants liberty to the Review applicant to file an appeal before the competent authority within a period of two weeks from the date of receipt of a copy of this order. On such filing, the authority concerned is directed to consider the same and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the parties concerned, as expeditiously as possible.



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WEB COPY 7. Accordingly, this Review petition stands disposed of. No costs.

[R.M.D., J.] [N.M., J.]
23.12.2022

Index : Yes / No
Internet : Yes / No

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To

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R. MAHADEVAN, J.
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