



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P.[MD]No.824 of 2022

and

W.M.P(MD).Nos.668 and 670 of 2022

WEB COPY

H.Hameem Mustafa

: Petitioner

Vs.

1. The Tamil Nadu Waqf Board,
Rep. by its Chief Executive Officer,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

2. Mr.Mohammed Ansari

3. Mr.A.S.Hallaj

4. Mr.Dawood Mydeen

5.Kaleel Rahman

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari calling for the records on the file of the first respondent relating to the impugned notice of the first respondent dated 29.12.2021 bearing Ref No. Na.Ka.No.144/11/B1/KK and quash the same.

For Petitioner

: Mr.D.Christenson Judunu

For Respondents

: Mr.K.K.Senthil,
Standing Counsel for R1

O R D E R

In the captioned matter, Mr.D.Christenson Judunu, learned counsel for writ petitioner and Mr.K.K.Senthil, learned Standing Counsel for Tamil Nadu Waqf Board who accepts notice on behalf of first respondent are before this virtual Court. To be noted, respondents 2 to 5 are private respondents and owing to the trajectory the matter has taken today, their presence is not necessary for giving a closure to the captioned writ petition.

2. Captioned writ petition has been filed assailing a notice dated 29.12.2021 bearing reference No. Na.Ka.No.144/11/B1/KK wherein the Chief Executive Officer of Tamil Nadu Waqf Board has put the writ petitioner and nineteen other individuals (including private respondents) on notice that an enquiry is scheduled to be held by



the Tamil Nadu Waqf Board on 11.01.2022 at 01:00 PM qua 'Anchuvannam Peer Mohammadia Muslim Association Waqf situate in Thackalay, Kalkulam Vattam, Kanyakumari District' (hereinafter 'said Waqf' for the sake of convenience and clarity).

3. Obviously 11.01.2022 date has since elapsed. Learned counsel for writ petitioner submits that writ petitioner received a phone call before 11.01.2022 from the Office of the first respondent and he was informed that the 11.01.2022 meeting stands adjourned but the next date was not informed. Learned Standing Counsel for Tamil Nadu Waqf Board who has accepted notice on behalf of first respondent on instructions confirms that the meeting did not happen on 11.01.2022.

4. Be that as it may, learned counsel for writ petitioner submits that he has now received yet another notice showing the writ petitioner alone as noticee. Learned counsel has to therefore now assail the notice said to have been received by the writ petitioner if so advised. To be noted, this Court is informed that the meeting is scheduled to be held on 27.01.2022 according to this notice now said to have been received by the writ petitioner showing writ petitioner as the lone noticee.

5. Therefore captioned writ petition is disposed of as closed, the same having become infructuous making it clear that all questions are left open and all the rights of both sides including the private respondents who are not before this Court are left open. This includes the right of the writ petitioner to assail the notice which is said to have been received by him now. Though obvious, it is made clear that this Court has not expressed any view or opinion on the merits of the matter in this order. Consequently, captioned WMPs therein are also disposed of as closed. There shall be no order as to costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

pkn

To

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

+1 CC to M/s.K.K.SENTHIL, Advocate (SR-1943[F] dated 20/01/2022)

W.P. [MD] No.824 of 2022

20.01.2022

MGJ(01.02.2022) 2P 3C

<https://hcservices.ecourts.gov.in/hcservices/>