



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **13.04.2022**

CORAM:

THE HONOURABLE MR.JUSTICE **C.SARAVANAN**

W.P. (MD) No.7036 of 2022

and

W.M.P. (MD) Nos.5354 and 5355 of 2022

WEB COPY

N.Syed Sakir

... Petitioner

/vs./

1.The Tamil Nadu Wakf Board,
represented by its Chairman,
No.1, Jaffer Syrang Street,
Vallal Chethakathi Nagar, Chennai.

2.The Chief Executive Officer,
Tamil Nadu Wakf Board, No.1, Jaffer Syrang Street,
Vallal Chethakathi Nagar, Chennai.

3.The Superintendent of Waqf,
Trichy Region,
No.8/124, Kayithamillath Road, Palakarai,
Trichy 626 008.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, calling for the records relating to the Impugned Order made by the 2nd Respondent in his proceedings in Sa.Mu.Aanai.7046/93/A5/Trichy dated 01.04.2022 and quash the same as illegal.

For Petitioner : Mr.M.Mahaboob Athiff

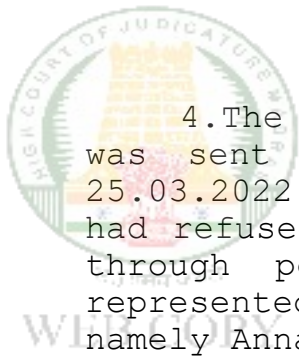
For Respondents : Mr.D.S.Haroon Rasheed

ORDER

The petitioner has filed this writ petition for a Certiorari to call for the records relating to the impugned order of the 2nd respondent passed in Sa.Mu.Aanai.7046/93/A5/Trichy dated 01.04.2022 and to quash the same as illegal.

2.In the morning, the learned counsel for the petitioner had mentioned and got a slip for listing this case for admission in the afternoon.

3.The learned counsel for the petitioner submits that the 2nd respondent has proceeded to pass the impugned order dated 01.04.2022 in gross violation of the order of this Court in W.P.(MD) No.4229 of 2022 dated 10.03.2022.



4.The learned counsel for the respondents submits that a summon was sent personally through the Inspector of Wakf, Trichy on 25.03.2022 to be served on the petitioner. However, the petitioner had refused to receive the same and therefore, the notice was sent through post. It is submitted that the petitioner was also represented before the Wakf Board on 29.03.2022 through his counsel, namely Anna Gandhi and Gunasekaran.

5.The learned counsel for the respondents further submits that the petitioner is present before this Court and has today stated that he is not interested in pursuing the case. However, the learned counsel for the petitioner insisted to pursue the writ petition.

6.Therefore, the petitioner was called to appear and was questioned whether he was interested in pursuing with the case or would like to withdraw the same. The petitioner in person submits that he has not interested in pursuing the writ petition. However, the learned counsel for the petitioner would submit that he was not informed about the same.

7.Considering the above, I am inclined to dismiss this writ petition by imposing a cost of Rs.5,000/- on the petitioner for giving false instructions to the learned counsel for the petitioner to file this writ petition and to list this case urgently for admission. The said amount shall be paid by the petitioner to the Chief Minister's Relief Fund within a period of 15 days from the date of receipt of a copy of this order, failing which appropriate action will be taken against the petitioner. The learned counsel for the petitioner is directed to file a memo of compliance before the Registry within a period of 30 days from the date of receipt of a copy of this order.

8.The writ petition stands dismissed, in terms of the above observation. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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TO

1.The Chairman,
The Tamil Nadu Wakf Board,
No.1, Jaffer Syrang Street,
Vallal Chethakathi Nagar, Chennai.

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



2.The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffer Syrang Street,
Vallal Chethakathi Nagar, Chennai.

3.The Superintendent of Waqf,
Trichy Region,
No.8/124, Kayithamillath Road,
Palakarai,
Trichy 626 008.

COPY TO:-

THE OFFICER INCHARGE,
CHIEF MINISTER PUBLIC RELIEF FUND,
FINANCE (CMPRF) DEPARTMENT,
GOVERNMENT OF TAMIL NADU,
SECRETARIAT, CHENNAI 600 009.

COPY TO:

THE SECTION OFFICER,
WRIT SECTION, MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

W.P. (MD) No.7036 of 2022

13.04.2022

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