



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P. (MD) No.6856 of 2018

I.A.Bawa Nathar

... Petitioner

/vs./

1.The Tamil Nadu Wakf Board,
represented through its Secretary,
No.1, Jabersirang Street,
Vallal Seethakaathi Nagar, Chennai.

2.The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jabersirang Street,
Vallal Seethakaathi Nagar, Chennai.

3.The Superintendent of Wakf,
Superintendent Office,
No.12, Keelaether Street,
Thirichirapalli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to record and approve the functioning of the newly elected office bearers of the committee elected on 15/11/2017 and permit to manage the Kadhar Ouliya Pallivasal located at Thathaiyangarpet, Thuraiyur Taluk, Trichy District within a stipulated time.

For Petitioner : Mr.R.T.Arivukumar for
Mr.N.GA.Natraj

For Respondents : Mr.S.Haroon Rasheed
Standing Counsel

ORDER

This case was earlier reserved for passing orders. However, while dictating the orders, certain doubts arose and therefore, this case was directed to be listed today under the caption for clarification.

2.The respondents have not filed any counter so far. In fact, on the previous hearing, the respondents merely gave a copy of the letter dated 26.03.2018, wherein it was informed the Court that the election had already been held on 03.02.2017. Since there was a doubt, the case was again heard in the forenoon and passed over in the afternoon to find out as to whether the petitioner was willing to accept for appointment of an Advocate Commissioner to defray the expenses in connection with the proposed election.



3.In the afternoon, the learned counsel for the respondents has now produced another orders of the Inspector and the Superintendent of Wakf, Trichy, dated 09.03.2020, wherein it has been stated that a fresh election was held for the ensuing period between 28.02.2020 and 27.02.2023.

4.The learned counsel for the petitioner submits that he has no instructions about the same.

5.It is noticed that both the learned counsel for the petitioner and the learned counsel for the respondents have taken the Court proceedings in a casual manner and have wasted the precious time of the Court. They wanted the Court to pass orders based on the available records in the Court, even though there were subsequent developments, which had rendered the present writ petition infructuous. Either way, both the learned counsel have not prepared and wanted the Court to pass order without proper assistance regarding the facts of the case.

6.There is no merits in this writ petition. I therefore dismiss this writ petition, by ordering cost both on the petitioner and the respondents to pay a sum of Rs.15,000/- each to the Chief Justice Relief Fund, within a period of 30 days from the date of receipt of a copy of this order for wasting the time of the Court.

7.This writ petition stands dismissed, accordingly.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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+1 CC to M/s.N.GA.NATRAJ, Advocate (SR-11024[F] dated 10/03/2022)

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MGJ(25.03.2022) 2P 2C