



W.P.(MD)No.27816 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.12.2022

C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKEVALU

W.P.(MD)No.27816 of 2022

and

W.M.P.(MD)Nos.21913 & 21914 of 2022

S.Syed Jaffar

... Petitioner

Vs.

- 1.The President,
Tamil Nadu Waqf Board,
Door No.1, Jafar Sirang Street,
Vallal Seethakathi Nagar,
Chennai-600 001.
- 2.The Chief Executive Officer,
Tamil Nadu Waqf Board,
Door No.1, Jafar Sirang Street,
Vallal Seethakathi Nagar,
Chennai-600 001.
- 3.The Superintendent of Waqf,
Office of the Superintendent of Waqf,
8/124, Kaithe Millath Road,
Palakarai,
Trichy-600 008.

...Respondents

Prayer: Writ Petition filed under Article 226 of the constitution of India, to issue a writ of Certiorarified Mandamus, to call for the records of the third



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respondent's impugned notice in Na.Ka.No.13907/95/E1/Trichy, dated 19.05.2022 and the impugned proceeding of the second respondent in Chae.Mu.Order.4367/11/Aa5/Trichy, dated 19.09.2022 and quash the same as devoid of merits, consequently direct the second respondent to authorize the persons as per the resolution passed on 04.08.2021 as administrators for Islamic Welfare Federation situated in Door No.30, Periya Savuk, Trichy District and permit the petitioner to continue the administration of the property in Survey No.41/2 and extent of 7 acres in Kumbakudi Village, Thiruverumbur Taluk, Trichy District by considering his representation dated 09.11.2022 and for other such reliefs within the period stipulated by this Court.

For Petitioner : Mr.A.Haja Mohideen

For Respondents : No Appearance

ORDER

Heard Mr.A.Haja Mohideen, Learned Counsel for the Petitioner and perused the materials placed on record, apart from the pleadings of the Petitioner.

2. When it was pointed out that the Petitioner has got an effective alternative remedy to challenge the Proceedings in Chae.Mu.Order.



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4367/11/Aa5/Trichy, dated 19.09.2022 passed by the Second Respondent, which is impugned in this Writ Petition, by filing an application under Section 83 of the Waqf Act, 1995, before the Tamil Nadu Waqf Tribunal, Learned Counsel for the Petitioner seeks permission of the Court to withdraw the Writ Petition with liberty to resort to the aforesaid procedure and he has made an endorsement to that effect in the court record.

In view of the same, the Writ Petition is dismissed as withdrawn, granting such liberty. It is made clear that for the purpose of reckoning limitation for availing the aforesaid remedy, the period from the date of filing of the Writ Petition, viz., 07.12.2022, till the date on which the certified copy of this order is made ready by the Registry, shall be excluded. Consequently, the connected Miscellaneous Petitions are closed. No costs.

09.12.2022

Index : Yes/No

Internet : Yes/No

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P.D.AUDIKESAVALU,J.

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To

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