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Cont P No.525 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.04.2023

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Cont.P.No.525 of 2023

S.Mohammed Akbar, M/73
S/o. Sheik Hussain,
No.46, Muslim Street,
Udayarkudi, Kattumannarkoil Taluk,
Cuddalore District.Petitioner/Petitioner

Vs.

S.Abdullah,
Superintendent of Wakf,
Wakf Board, Cuddalore Circle,
No.512, Gandhi Road,
Panruti 607 106
Cuddalore District. Respondent/3rd Respondent

Contempt Petition filed under section 11 of the Contempt of Courts Act, to punish the respondent for his wilful disobedience and non-compliance of the orders of this Court made in W.P.No.24961 of 2022, dated 09.12.2022.

For Petitioner : Mr.C.Prakasam



For Respondents : Mr.R.Abdul Mubeen
Standing counsel

ORDER

The writ petition was disposed of with the following directions :-

7.Such view of the matter, election cannot be stalled. The respondents are directed to issue a fresh notification for appointing Trustees as per scheme decree. This writ petition stands dismissed accordingly. Consequently, the connected miscellaneous petitions are closed.

2. This contempt petition has been filed with the following grievance :-

3. I submit that after obtaining orders from this Court and the same was produced before the respondent herein in person and made request to follow and comply with the Hon'ble Court order but the respondent once again without considering the



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scheme and called for five applications from worshippers without mentioning the hereditary trustee, hence the respondent not inclined to follow this Hon'ble Court order. Hence, the action of the respondents are attracted under the provisions of the contempt of Courts Act. Since the respondent wantonly and deliberately and knowing fully disobeyed the Hon'ble High Court order.

3. The learned Standing counsel appearing on behalf of the Board submitted that already steps were taken for issuing notification and for appointment of trustees as per the scheme decree. The grievance expressed by the petitioner cannot be the subject matter of this contempt petition. If ultimately, the appointment of trustees is not in accordance with the scheme decree, it is always left open to the petitioner to challenge the same in the manner known to law.



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4. In view of the above, this contempt petition is closed.

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