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L.P.A.No.5 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 14.06.2023

CORAM

THE HON'BLE Mr. JUSTICE R. MAHADEVAN

AND

THE HON'BLE Mr. JUSTICE MOHAMMED SHAFFIQ

L.P.A.No.5 of 2023

and

C.M.P.No.11020 of 2023

The President/Secretary of
Syed Sadiq Mosque and Dargah Wakf
Mangadu
Chennai 600 122

.. Appellant

Vs.

1.S.Ajaz

2.A.B.Rafiullah
Chief Executive Officer
Tamil Nadu Wakf Board
No.1, Jaffer Syrang Street
Vallal Seethakathi Nagar
Chennai 600 001

.. Respondents

Letters Patent Appeal filed under Clause 15 of Letters Patent, to set aside the interim order dated 21.04.2023 passed in Contempt Petition No.985 of 2023.



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For Appellant : Mr.K.Sasindran
For 1st Respondent : Mr.M.J.Jaseem Mohamed
For 2nd Respondent : Mr.Haja Mohideen Gisti

JUDGMENT

(Judgment of the court was delivered by R. MAHADEVAN, J.)

Seeking a direction to the 2nd respondent/Wakf Board to conduct election to the appellant/Syed Sadiq Mosque and Dargah Wakf, Mangadu, the 1st respondent had filed W.P.No.20528 of 2022. The learned Judge, by order dated 22.08.2022, disposed of the said writ petition directing the 2nd respondent to conduct election to the appellant-Mosque and Dargah within a period of six months. Since the 2nd respondent had not taken any steps to comply with the direction issued by the learned Judge in W.P.No.20528 of 2022, the 1st respondent filed a Contempt Petition in Cont.P.No.985 of 2023. When the contempt petition came up for hearing on 21.04.2023, the learned Judge directed the 2nd respondent to take over the administration of the Wakf, pending disposal of the contempt petition. Challenging the order dated 21.04.2023, the present Letters Patent Appeal has been filed by the appellant.

2. Mr.Haja Mohideen Gisti, learned counsel appearing for the



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2nd respondent submitted that pursuant to the order dated 21.04.2023 passed by the learned Judge, the second respondent has taken possession of the administration of the Wakf.

3. The above submission of the learned counsel for the second respondent was stoutly denied by the learned counsel for the appellant.

4. In view of the above submissions and as agreed by both the parties, this appeal is disposed of with a direction to the 2nd respondent/Wakf Board to complete the election process within a period of ten weeks from the date of receipt of a copy of this order. Till such time, both the parties shall maintain *status quo* existing as on today. No costs. Consequently, connected miscellaneous petition is closed.

[R.M.D,J.] [M.S.Q, J.]

14.06.2023

Internet : Yes
Neutral Citation : Yes/No
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R. MAHADEVAN, J.
AND



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MOHAMMED SHAFFIQ, J.

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