



WEB COPY



W.P. No. 14541 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 14541 of 2023

and

W.M.P. No. 14019 of 2023

S.Mohammed Akbar

... Petitioner

-VS-

1. The Chief Executive Officer,
Tamil Nadu Wakf Board,
No. 1, Jabbar Sirang Road,
Vallal Seetha Kadhi Nagar,
Chennai – 1.
2. The Superintendent of Wakf,
Wakf Board, Cuddalore Circle,
No. 512, Gandhi Road,
Panruti - 607106,
Cuddalore District.
3. Janab A.Ajmal Khan
4. Janab S.Asmathullah Khan
5. Janab Z.Abzal Khan
6. Janab Mohamed Ismail Zubair
7. Janab A.Althaf Hussain

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorarified Mandamus, calling for the entire



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records relating to the impugned order passed by the First Respondent in his proceedings Se. Mu. Anai. 4825/03/B10/Kada, dated 21.03.2023 and quash the same and consequently direct the First Respondent to appoint the Petitioner as Hereditary Trustee for the Udayargudi Big Mosque, Udayrgudi, Kattumannarkoil Taluk, Cuddalore District.

For Petitioner : Mr. C.Prakasam

For Respondents : Mr. S.Haja Mohideen Gisthi (for R1)

Mr. G.Mohan (for R3)

No appearance (for R4 to R7)

ORDER

When it was pointed out that the Petitioner has got an effective alternative remedy to challenge the proceedings in Se. Mu. Anai. 4825/03/B10/Kada, dated 21.03.2023 passed by the First Respondent, which is impugned in this Writ Petition, by filing an application under Section 83 of the Waqf Act, 1995, before the 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.



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In fine, the Writ Petition is dismissed as withdrawn granting such liberty.

Consequently, the connected Miscellaneous Petition is closed. No costs.

03.11.2023

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Index: Yes/No

Note: Issue order copy by 20.11.2023.

To

1. The Chief Executive Officer,
Tamil Nadu Wakf Board,
No. 1, Jabbar Sirang Road,
Vallal Seetha Kadhi Nagar,
Chennai – 1.
2. The Superintendent of Wakf,
Wakf Board, Cuddalore Circle,
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P.D. AUDIKESAVALU, J.

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