



WEB COPY



W.P. No. 29952 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2023

CORAM

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

W.P. No. 29952 of 2023

and

W.M.P. Nos. 29563 and 29566 of 2023

The Aminjikai Mosque & Burial Ground Wakf,
Represented by its President,
G.Imtiaz Ahmed,
New No. 562, Old No. 685,
E.V.R. Periyar High Road,
Aminjikai,
Chennai – 600 029.

... Petitioner

-VS-

1. The Chief Executive Officer,
Tamilnadu Wakf Board,
No. 1, Jaffer Syrang Street,
Vallal Seethakathy Nagar,
Chennai – 600 001.

2. Kader Sheriff

3. Abdul Jaffar

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorari, calling for the records connected with the order passed by the First Respondent dated 25.09.2023 in Che. Mu. Aana:8522/86/A6/Chennai and quash the same.



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For Petitioner : Mr. Y.Kaja Navas

For Respondents : Mr. G.Mohamed Aseef (for R1)

ORDER

Heard Mr. Y.Kaja Navas, Learned Counsel for the Petitioner and Mr. G.Mohamed Aseef, Learned Counsel, who takes notice for the First Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. Having regard to the nature of order proposed to be passed in the Writ Petition, which would not cause any prejudice to the Second and Third Respondents, notice to them is dispensed with.

3. When it was pointed out that the Petitioner has got an effective alternative remedy to challenge the Proceedings No. Se. Mu. Aanai: 8522/86/A6/Chennai dated 25.09.2023 issued by the First Respondent, which is impugned in this Writ Petition, by filing application under Section 83(2) of the Waqf Act, 1995, before the First Respondent, Learned Counsel for the Petitioner seeks permission of the Court to withdraw the Writ Petition with



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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In view of the same, the Writ Petition is dismissed as withdrawn granting such liberty.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., 11.10.2023, 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.

17.10.2023

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 31.10.2023.

pal/vjt

To

The Chief Executive Officer,
Tamilnadu Wakf Board,
No. 1, Jaffer Syrang Street,
Vallal Seethakathy Nagar,
Chennai – 600 001.



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P.D. AUDIKESAVALU, J.

pal/vjt

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