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W.P.(MD)NO.684 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 10.05.2023

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

**W.A.(MD)No.684 of 2023
and
C.M.P.(MD)No.6059 of 2023**

G.Syed Kutharathulla

... Appellant /Petitioner

Vs.

1. The Chairman,
Tamil Nadu Waqf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai – 600 001.

2. The Chief Executive Officer,
Tamil Nadu Waqf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai – 600 001.

... Respondents /Respondents

Prayer: Writ appeal is filed under Clause 15 of the Letters Patent Appeal, to set aside the order passed by this Court in W.P.(MD)No.10339 of 2023 dated 27.04.2023.

For Appellant : Mr.S.Srinivasa Raghavan
for Mr.R.Anand.

For Respondents : Mr.Hajamohideen Gisti,
for Mr.S.A.Ajmal Khan.

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JUDGMENT

Heard, Mr.S.Srinivasa Raghavan, learned counsel appearing for the appellant and Mr.Hajamohideen Gisti, learned Senior counsel assisted by Mr.S.A.Ajmal Khan, learned counsel appearing for the respondents.

2. Tamil Nadu Waqf Board is presently seized of the application for framing a scheme under Section 69 of the Waqf Act 1995, for Kazimar Periya Pallivasal Haqdars Jamath, Madurai. The appellant herein filed W.P.(MD)No.10339 of 2023 demanding that the enquiry must be held at Madurai, since most of the Haqdars are residents of Madurai. The writ petition was dismissed on 27.04.2023 on the ground that Madurai is not suitable for holding the enquiry. Aggrieved by the same, the present writ appeal has been filed.

3. The learned counsel appearing for the appellant submitted that he would be satisfied if the five named Haqdars representing five different branches are given hearing through video conference facility / Zoom Meet. This request has been graciously accepted by the respondents also. The following five persons shall be given audience



through Zoom Meet by the second respondent on 15.05.2023 between

11.00 a.m. and 12.00 noon:-

- 1) Mr.Syed Kutharathulla
- 2) Mr.Syed Ghouse Basha
- 3) Mr.Samsudeen Ibrahim
- 4) Mr.I.S.A.K.Ibrahim
- 5) Mr.Syed Ahamed Musthafa

Each of the above mentioned Haqdars will be given ten minutes each.

They will be admitted into the meeting one after another. The aforementioned five persons as well as the other Haqdars can also submit their representations to the following email ID:-

tnwb@tn.gov.in

The impugned order is not otherwise interfered with.

4. This writ appeal is disposed of accordingly. This order has been passed based on the consensus arrived at between the parties and this order will not be cited as a precedent. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.SWAMINATHAN,J.) (S.SRIMATHY,J.)
10.05.2023

NCS : Yes / No
Index : Yes / No
Internet : Yes / No
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To:

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