



W.P.(MD)No.24001 of 2023

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 29.09.2023**

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

**W.P.(MD)No.24001 of 2023**

**and**

**W.M.P(MD)Nos.20153 & 20154 of 2023**

Khan Miyan Pallivasal @ Shah Ali Nuktha Pallivasal Wakf,  
Rep. by its Hereditary Mutawalli,  
S.Mohammed Jaffer Khan Pani.

... Petitioner

Vs.

1. Tamil Nadu Waqf Board,  
Represented by its Chairman,  
No.1 Jaffar Syrang Street,  
Vallal Seethakathi Nagar,  
Chennai - 600001.

2. The Chief Executive Officer,  
Tamil Nadu Wakq Board,  
No.1 Jaffar Syrang Street,  
Vallal Seethakathi Nagar,  
Chennai - 600001.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, calling for the records pertaining to the impugned resolution passed by the 2<sup>nd</sup> respondent in Na.Ka.No.3211/07/Aa1/Thiveli, dated



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19.07.2023 and the impugned show cause notice issued by the 1<sup>st</sup> respondent in Na.Ka.No.3211/07/Aa1/Thiveli, dated 17.08.2023 and quash the same.

For Petitioner : Mr.M.Saravanan

For Respondents : Mr.Haja Mohideen Gisthi

**ORDER**

This writ petition is filed challenging the impugned Show cause notice, dated 17.08.2023 which was issued based on the resolution dated 19.07.2023.

2. Heard Mr.M.Saravanan, the Learned counsel appearing for the petitioner, Mr.Haja Mohideen Gisthi, the Learned Counsel appearing for the respondents and perused the material documents available on record.

3. The contention of the petitioner is that the resolution says only four charges whereas the impugned show cause notice says seven allegations.



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4. Therefore, this Court is directing the 1<sup>st</sup> respondent to conduct enquiry based on the resolution alone. The Wakf Board shall strictly followed the Rules and afford one opportunity to the petitioner as well as the documents, which the petitioner is seeking and thereafter, allow the petitioner to cross examine, thereafter, pass a speaking order. No Costs. Consequently, W.M.P(MD)No.20153 of 2023 is ordered and W.M.P(MD)No.20154 of 2023 is closed.

Index : Yes / No  
Internet : Yes  
NCC : Yes / No  
ksa

**29.09.2023**

**To**

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2. The Chief Executive Officer,  
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**S.SRIMATHY, J**

**ksa**

**Order made in  
W.P.(MD)No.24001 of 2023**

**29.09.2023**