



W.P.(MD)No.26580 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.26580 of 2023

and

W.M.P.(MD)Nos.22864 and 22865 of 2023

S.M.Abdul Kader

... Petitioner

versus

1. The Chief Executive Officer,
Tamilnadu Wakf Board,
No.1, Jafar Sirang Street,
Vallal Seethakathi Nagar,
Chennai – 600 001.
2. The Superintendent of Wakf,
Tamilnadu Wakf Board,
Tirunelveli Region,
51/80, KAP Complex,
TVM Road,
Tirunelveli – 627 002.
3. The Revenue Divisional Officer,
Nagercoil.



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4. S.Sugarno,
The President,
Malick Dhinar Baithulmal,
Pon Arippu Street,
Kottar Post,
Nagercoil – 629 002.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Certiorari, to call for the records of the order passed by the 3rd respondent vide No. 3/6996/2022 dated 17.10.2023 and quash the same.

For Petitioner : Mr.S.Ramasamy
For R1 and R2 : Mr.D.S.Haroon Rasheed
For R3 : Mr.G.V.Vairam Santhosh,
Additional Government Pleader
For R4 : Mr.A.Haja Mohideen

ORDER

The grievance of the petitioner is that the 3rd respondent has insisted him to submit the account documents of the Malick Dhinar Baithulmal Jamath for the period from 26.11.2016 to 28.07.2020.



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2. The learned counsel appearing for the petitioner submits that the petitioner was not issued with any notice, however, he is having a copy of the notice through other office bearers, wherein, he was directed to produce the account documents on or before 31.10.2023, failing which, criminal action would be taken against him.

3. According to the petitioner, he is not in possession of the account documents and all the account documents are with one Mohammed Sheik and Mohammed Iqbal, former Secretary and President of the Jamath.

4. Since the petitioner has taken a stand that he is not in possession of the account documents and all the account documents are with one Mohammed Sheik and Mohammed Iqbal, the petitioner shall furnish a statement to that effect to the first respondent/the Chief Executive Officer, Tamilnadu Wakf Board, Chennai, within a period of



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one week from the date of receipt of a copy of this order. Based on the statement given by the petitioner, the first respondent is at liberty to proceed further as against the persons, who are holding the account documents.

5. Accordingly, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

07.11.2023

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NCC : Yes / No.
Index : Yes / No.
Internet : Yes / No.



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B.PUGALENDHI, J.

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