



C.R.P.(NPD).No.95 of 2010

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

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1.Nawab Chanda Main Mosque
Tiruvannamalai Rep. By its
Mutawalli/(K.Syed Yasin Sahib)(Died)
Executive Officer/Superintendent of Waqf,
Tamil Nadu Wakf Board,
Vellore Zone.

2.Tamil Nadu Wakf Board
Represented by its Ex.Officio Secretary
Chief Executive Officer,
Chennai.

... Petitioners

*(P-1 Substituted vide Court order dated 22.03.2018 made in
CMP.No.4963/2018 in CRP.No.95/2010)*

VS

1.Habiba Bi

2.S.I.Hayad Basha

3.H.Pareetha Ahamed

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4.H.Refeek Ahamed

5.H.Shafeeque Ahamed

6.H.Aasma Banu

7.I.Shahjahan Basha

8.S.Jawahar Shakeel

9.Shahith Ahamed

10.Shaheen Ahamed

11.S.Santhanalakshmi

12.S.Rajamani

13.A.Palaniraj

14.R.Selvam

15.The General Manager
Southern Railway
Chennai – 600 003

... Respondents

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to set aside the order and decretal order of the Wakf Tribunal cum Principal Subordinate Judge @ Tiruvannamalai in O.S.No.93 of 2009, dated 17.11.2009 in dismissing the suit for declaration and for injunction.



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For Petitioners : Mr.S.Sathya Kumar
for M/s.V.Srimathi

For R14 : Mr.K.Venatasubban
for M/s.Sarvabhauman Associates

For R1 to R13
and R15 : Exparte

ORDER

It is seen from the records that death of 14th respondent as well as details of legal representatives were informed to the learned counsel for the petitioners as early as 04.10.2023. It is also seen from the records that the learned counsel for the 14th respondent filed a memo dated 12.12.2023 giving the details of the legal representatives of 14th respondent, who died on 06.02.2023. Along with said memo, the death certificate of 14th respondent is also enclosed.

2. Inspite the same, till date, the petitioners have not taken any steps to bring on record the legal representatives of deceased 14th respondent. Hence, the Civil Revision Petition is dismissed as against the 14th respondent as abated.

3. It is also seen from the memorandum of grounds the 14th respondent



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is the only contesting party and respondents 1 to 13 and 15 remained *exparte* before the Court below and hence, the petitioners sought for dispense with of notice to respondents 1 to 13 and 15. Hence, the Civil Revision Petition is closed. No costs.

27.02.2024

Index : Yes / No
Speaking order : Yes / No
Neutral Citation : Yes / No
dm



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To

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- 1.The Wakf Tribunal cum Principal Subordinate Judge,
Tiruvannamalai.
- 2.The General Manager
Southern Railway
Chennai – 600 003.



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S.SOUNTHAR, J.

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