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C.R.P.(PD).Nos.4333 and 4334 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.10.2024

CORAM :

THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN

C.R.P.(PD).Nos.4333 and 4334 of 2024
and C.M.P.Nos.24116 and 24118 of 2024

In CR.P.(PD).No.4333 of 2024 :-

V.S.N.Mohamed Atham

.. Petitioner

Versus

1. The Tamil Nadu Waqf Board,
Rep. by its Chairman,
No.1 Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

2. V.S.N.M.Mohamed Ismail
3. P.M.Habeebullah
4. B.Syed Khazzali
5. Jabaruddin
6. M.Mujibur Rahman
7. M.Peer Mohamed Sait

.. Respondents

In CR.P.(PD).No.4333 of 2024 :-

V.S.N.Mohamed Atham

.. Petitioner

Versus

1. The Tamil Nadu Waqf Board,
Rep. by its Chairman,



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3. P.M.Habeebullah
4. B.Syed Khazzali
5. Jabaruddin
6. V.S.N.M.Mohamed Ishak
7. M.Peer Mohamed Sait

.. Respondents

Prayer in C.R.P.(PD).No.4333 of 2024 : Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the impugned order passed in O.A.SR.No.1739 of 2024, dated 23.10.2024 by the Tamil Nadu Waqf Tribunal, Chennai.

Prayer in C.R.P.(PD).No.4334 of 2024 : Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the impugned order passed in O.A.SR.No.1738 of 2024, dated 23.10.2024 by the Tamil Nadu Waqf Tribunal, Chennai.

For Petitioner : Mrs.A.Ajimath Begum
(in both the cases)

COMMON ORDER



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These Civil Revision Petitions are moved before me as Lunch Motion Petitions.

2. The grievance of the civil revision petitioner is that challenging the manner, in which the election was held and on the approval of the nomination of the sixth respondent, they moved two Original Applications in O.A.SR.No.1738 of 2024 and O.A.SR.No.1739 of 2024 before the Tamil Nadu Waqf Tribunal, Chennai. The same were returned by the Waqf Tribunal stating that as an order was passed by this Court in C.R.P.No.3722 of 2024, dated 13.09.2024, it is not in a position to entertain the Original Applications.

3. In C.R.P.No.3722 of 2024, I appointed a Supervisor in order to overlook the manner of conduct of election. The said Supervisor was not appointed for the purpose of scrutiny of the nomination papers and other activities in connection with the election. He had to ensure that the election was held in accordance with the Election Body Resolution, dated 21.07.2024. In case, the election is not held in accordance with bye-laws,



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then, the parties would have to approach the Waqf Tribunal and make out a case for the said purpose.

4. I do not see my order, dated 13.09.2024 in any way standing in the way of the parties to approach the Waqf Tribunal. Therefore, these Civil Revision Petitions are ordered. The Tamil Nadu Waqf Tribunal, Chennai is directed to number O.A.SR.No.1738 of 2024 and O.A.SR.No.1739 of 2024, if they are otherwise in order and take up the Interlocutory Applications that are moved by the Civil Revision Petitioners. Considering the urgency expressed by Mrs.A.Ajimath Begum, learned Counsel for the petitioner, the Tamil Nadu Waqf Tribunal, Chennai shall take up the Interlocutory Applications for hearing tomorrow i.e., on 25.10.2024. No costs. Consequently, connected miscellaneous petitions are closed.

24.10.2024

Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no
grs

Note to the Registry:-

(i) The originals of the applications filed before this Court shall be returned to the learned Counsel for the petitioner, after obtaining usual endorsement;



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(ii) Since Mrs.A.Ajimath Begum, learned Counsel for the petitioner represents that there is some urgency in the matter, the order is to be uploaded immediately on the website. The Tamil Nadu Waqf Tribunal, Chennai shall act as per the web-copy of this order.

To

The Tamil Nadu Waqf Tribunal,
Chennai.



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V.LAKSHMINARAYANAN, J.

grs

C.R.P.(PD).Nos.4333 and 4334 of 2024
and C.M.P.Nos.24116 and 24118 of 2024

24.10.2024