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C.R.P. (PD) .No.4544 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

C.R.P.(PD).No.4544 of 2024

and

C.M.P.Nos.25314 & 25315 of 2024

V.S.N.Mohamed Adham

.. Petitioner

Vs.

- 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,
Election Officer,
Mohiadeen Andavarkal Pallivasal @
Muhuidhdheen Andavarkal Pallivasal,
Oor Uravinmurai Jamath,
Kodikkalpalayam,
Tiruvarur – 610 001.
- 3.P.M.Habeebullah,
Election Officer,
Mohiadeen Andavarkal Pallivasal @
Muhuidhdheen Andavarkal Pallivasal,
Oor Uravinmurai Jamath,
Kodikkalpalayam, Tiruvarur – 610 001.



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4.B.Syed Khazzali,
Election Officer,
Mohiadeen Andavarkal Pallivasal @
Muhuidhdheen Andavarkal Pallivasal,
Oor Uravinmurai Jamath,
Kodikkalpalayam,
Tiruvarur – 610 001.

5.Jabaruddin,
So called President,
Mohiadeen Andavarkal Pallivasal @
Muhuidhdheen Andavarkal Pallivasal,
Oor Uravinmurai Jamath,
Kodikkalpalayam,
Tiruvarur – 610 001.

6.V.S.N.M.Mohamed Ishak

7.M.Peer Mohamed Sait,
Superintendent of Waqfs (Retd.),
Court Observer,
Residing at No.6/2D, Sai Amaranta Apartment,
Sai Nagar, Pothanur,
Coimbatore – 641 023.

.. Respondents

Prayer: This Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to set aside the impugned order passed in I.A.No.414 of 2024 in O.A.No.80 of 2024 dated 25.10.2024 by the Tamil Nadu Waqf Tribunal, Chennai.



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For Petitioner : Ms.A.Ajimath Begam
For RR2 to 4 : Mr.Aun Anbumani
For R6 : Ms.V.Lakshmipriya
for Mr.Achuthanandam

ORDER

Heard Ms.A.Ajimath Begam for the civil revision petitioner, Mr.Arun Anbumani, for respondents 2 to 4 and Ms.V.Lakshmipriya for Mr.Achudanandham for the 6th respondent.

2.This Civil Revision Petition is seeking for setting aside the order passed by the Waqf Tribunal in I.A.No.414 of 2024 in O.A.No.80 of 2024 dated 25.10.2024.

3.By an order dated 25.10.2024, the Waqf Tribunal had adjourned the matter to 11.11.2024. From 11.11.2024, it was adjourned to 19.11.2024. The grievance of the civil revision petitioner is that the election of the management committee is to be held on 16.11.2024 and therefore, they sought for interim order. Yet, the case has been adjourned to a date thereafter.



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4.It serves no purpose other than recording them that the injunction application has become infructuous, if the petition is adjourned beyond the date on which the event is supposed to take place.

5.In the facts of the present case, it is pleaded that election for the management committee in which the 6th respondent is to participate, is to be held on 16.11.2024. Mr.Arun Anbumani points out that in so far as the 6th respondent is concerned, there is no question of any election to be conducted.

6.All these issues have to be rightly urged only before the Waqf Tribunal. I make it clear that now I have not gone into the merits of this case. It is left open to the Waqf Tribunal to decide the application on merits. As the matter has been adjourned beyond the date of election, which is the grievance of the petitioner, I am merely directing the Tamil Nadu Waqf Tribunal to take up I.A.No.414 of 2024 in O.A.No.80 of 2024 and dispose of the same on or before 15.11.2024. All the contesting parties' counsel have no objection to the course of this action. They agree that they will cooperate with the Waqf



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Tribunal for the disposal of the application before the date fixed by this Court.

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7.This Civil Revision Petition is ordered accordingly. Consequently, the connected Miscellaneous Petitions are closed. No costs.

8.The Waqf Tribunal is requested to act on a web copy of this order and not insist on production of the certified copy.

13.11.2024

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Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No

To

1.The Tamil Nadu Waqf Tribunal,
Chennai.

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

V.LAKSHMINARAYANAN, J.



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