



SUB A(MD) No.109 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Monday, the First day of April Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice R.SURESH KUMAR
and
The Hon`ble Mr.Justice G. ARUL MURUGAN

SUB APLC(MD) Nos.109 to 111 of 2024
IN
CONT P(MD) No.35 of 2024

IN SUB APLC(MD)No.109 of 2024:

R.JAINULAPTHEEN
THE CHIEF EXECUTIVE OFFICER,
THE TAMILNADU WAQF BOARD,
NO.1, JAFFER SYRANG STREET,
VALLAL SEETHAKATHI NAGAR,
CHENNAI ... PETITIONER/2ND CONTEMNOR

Vs

1 THE MAJILISUL BHUHARI SHERIFF WAQF,
REPRESENTED BY ITS SECRETARY MOOSA NAINA,
KAYALPATTINAM,
TUTICORIN DISTRICT ...1ST RESPONDENT/PETITIONER

2 M. ABDUL RAHMAN,
THE CHAIRMAN,
THE TAMILNADU WAQF BOARD,
NO.1, JAFFER SYRANG STREET,
VALLAL SEETHAKATHI NAGAR,
CHENNAI



SUB A(MD) No.109 of 2024

3 M. SHEIK ABDULLA,
THE SUPERINTENDENT OF WAQF.
TIRUNELVELI DIVISION,
TAMIL NADU WAQF BOARD,
KHADAR OWLIA PALLIVASAL COMPLEX,
TIRUNELVELI.

...2ND & 3RD RESPONDENT/
1ST & 3RD CONTEMNOR

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THE SUPERINTENDENT OF WAQF,
TIRUNELVELI DIVISION,
TAMIL NADU WAQF BOARD,
KHADAR OWLIA PALLIVASAL COMPLEX,
TIRUNELVELI. ... PETITIONER/3RD CONTEMNOR

- VS. -

1. THE MAJILISUL BHUHARI SHERIFF WAQF,
REPRESENTED BY ITS SECRETARY MOOSA NAINA,
KAYALPATTINAM,
TUTICORIN DISTRICT ...1ST RESPONDENT/PETITIONER

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THE CHAIRMAN,
THE TAMILNADU WAQF BOARD,
NO.1, JAFFER SYRANG STREET,
VALLALSEETHAKATHI NAGAR,
CHENNAI

3. R. JAINULAPTHEEN,
THE CHIEF EXECUTIVE OFFICER,
THE TAMILNADU WAQF BOARD,
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CHENNAI

... 2ND & 3RD RESPONDENT/1ST & 2ND CONTEMNOR



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IN SUB APLC(MD)NO.111 OF 2024:

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THE CHAIRMAN,
THE TAMILNADU WAQF BOARD, NO.1,
JAFFER SYRANG STREET,
VALLAL SEETHAKATHINAGAR,
CHENNAI

... PETITIONER/1ST CONTEMNOR

- VS. -

1. THE MAJILISUL BHUHARI SHERIFF WAQF,
REPRESENTED BY ITS SECRETARY MOOSA NAINA,
KAYALPATTINAM,
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TIRUNELVELI DIVISION,
TAMILNADU WAQF BOARD,
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TIRUNELVELI.

... 2ND & 3RD RESPONDENT/ 2ND & 3RD CONTEMNOR

PRAYER IN SUB APLC(MD)No.109 of 2024

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to dispense with the personal appearance of the petitioner/2nd Contemnor herein before this Honourable Court pursuant to the Statutory notice issued by this Honourable Court on 01.03.2024 in the above Contempt petition and pass such further or other orders as this Honourable Court may deem fit and proper in the circumstances of the case and thus render justice.



SUB A(MD) No.109 of 2024

Prayer in SUB A(MD). 110/ 2024 :

To dispense with the personal appearance of the petitioner/3rd Contemnor herein before this Honourable Court pursuant to the Statutory notice issued by this Honourable Court on 01.03.2024 in the above Contempt petition and pass such further or other orders as this Honourable Court may deem fit and proper in the circumstances of the case and thus render justice

Prayer in SUB A(MD). 111/ 2024 :

To dispense with the personal appearance of the petitioner/1st Contemnor herein before this Honourable Court pursuant to the Statutory notice issued by this Honourable Court on 01.03.2024 in the above Contempt petition and pass such further or other orders as this Honourable Court may deem fit and proper in the circumstances of the case and thus render justice

Prayer in CONT P(MD)No.35 of 2024

Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the Respondents for violating the judgment of this Honourable Court dated 21.12.2023 in Rev.Aplc(MD). No.101 of 2023 by imposing maximum punishment as contemplated under the Contempt of Courts Act. 1971.

Prayer in Rev.Aplc(MD). No.101 of 2023 :

Review Application is filed under Order 47 Rule 1 and 2 r/w Section 114 of the Code of Civil Procedure, praying to allow the Review Application and set aside the order passed in W.A.(MD).No.514 of 2023 dated 23.11.2023.

Prayer in WA(MD). 514/ 2023 :

Writ Appeal filed under Clause 15 of Letters Patent, praying to set aside the order passed in W.P.(MD).No.3071 of 2023 dated 15.03.2023.

Prayer in WP(MD). 3071/ 2023 :

Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus directing the 1st respondent to take over direct management of the Majilisul Bhuhari Sheriff Waqf, Kayalpattinam under Sec 65 of the Waqf Act 1995 by considering the petitioners representation dated 10.01.2023 within a time stipulated by this Honble Court .



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ORDER : These petitions coming up for orders on this day, upon perusing the petitions and the affidavit filed in support thereof and upon hearing the arguments of MR.S.HAJA MOHIDEEN GISTHI, Advocate for the petitioner in all cases, the court made the following order:-

(Order of the Court was made by R.SURESH KUMAR, J.)

Since the future appearance of the respondents is dispensed with for the present, no further order is need to be passed in these applications. Hence, these applications are closed.

sd/-
01/04/2023

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/04/2024
Sub-Assistant Registrar (CS -I/ II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

ps

TO

1 M.ABDUL RAHMAN

THE CHAIRMAN,

THE TAMILNADU WAQF BOARD,

NO.1, JAFFER SYRANG STREET,

VALLAL SEETHAKATHI NAGAR, CHENNAI

2 R.JAINULAPTHEEN

THE CHIEF EXECUTIVE OFFICER,

THE TAMILNADU WAQF BOARD,

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VALLAL SEETHAKATHI NAGAR, CHENNAI



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TAMIL NADU WAQF BOARD,
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TIRUNELVELI.

4.THE MAJILISUL BHUHARI SHERIFF WAQF,
REPRESENTED BY ITS SECRETARY MOOSA NAINA,
KAYALPATTINAM,
TUTICORIN DISTRICT

ORDER
IN
SUB APLC(MD) Nos.109 to 111 of 2024
IN
CONT P(MD) No.35 of 2024
Date :01/04/2024

RK/VR(05/04/2024) 6P / 5C

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