



Cont.P.(MD) No.889 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.06.2024

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

Cont.P.(MD) No.889 of 2024

in

W.P.(MD) No.1620 of 2023

M.Thangappa

President

Mohideen Andavar Periya Pallivasal

and Khadar Avulia Darga Pallivasal,

3W/2A, Bodinaichanur 625 513,

Theni District.

... Petitioner

Vs.

Dr.Darez Ahmed,

The Estate Officer cum Chief Executive Officer,

Tamil Nadu Waqf Board,

No.1, Jaffar Syrang Street,

Vallalseethakathi Nagar,

Chennai.

... Respondent

Prayer: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the contemnor/respondent herein for the deliberate and willful disobedience in implementation of the order made in W.P.(MD) No.1620 of 2023 dated 15.06.2023.

For Petitioner : Mr.M.Mahaboob Athiff

For Respondent : Mr.D.S.Haroon Rasheed



Cont.P.(MD) No.889 of 2024

ORDER

WEB COPY This Contempt Petition has been filed to punish the respondent for his deliberate and willful disobedience in implementation of the order dated 15.06.2023 passed by this Court in W.P.(MD) No.1620 of 2023.

2. This Contempt Petition is not maintainable in the light of the subsequent developments as the provisions particularly Sections 4 and 5 of the Tamil Nadu Public Premises (Eviction of Unauthorised Occupants) Act, 1975 have been recently declared as ultravires by the Hon'ble First Bench of the Principal Seat of this Court by its common order dated 23.04.2024 in a batch of Writ Petitions in W.P.No.20553 of 2023 etc.

3. In view of the above, this Contempt Petition is closed. However, liberty is given to the petitioner to approach the Authority in terms of Sections 54 and 83 of the Waqf Act, 1995. The Chief Executive Officer of the Waqf Board is also permitted to move appropriate application under Section 83 of the Waqf Act, 1995.

11.06.2024

Index: Yes/ No
Neutral Citation: Yes / No
JEN



Cont.P.(MD) No.889 of 2024

Copy To
WEB COPY

The Chief Executive Officer,
Tamil Nadu Waqf Board,
No.1, Jaffar Syrang Street,
Vallalseethakathi Nagar,
Chennai.



WEB COPY



Cont.P.(MD) No.889 of 2024

C.SARAVANAN, J.

JEN

Cont.P.(MD) No.889 of 2024

11.06.2024