



SUB A(MD). No.336 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Friday, the Second day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

SUB A(MD). No.336 of 2023

in

CONT P(MD). 2010/ 2023

M. Mohamed Mansoor Hallaj

... Petitioner/Petitioner

Vs

R.Jainulabudeen,
The Chief Executive Officer,
Tamil Nadu Waqf Board,
No.1, Jaffar Syrang Street
Vallal Seethakathi Nagar,
Chennai - 600 001.

... Respondent/Contemnor

Prayer in SUB A(MD):-

The Sub-Application filed under section 151 of the Civil Procedure Code to reopen the Contempt Petition in Cont.P. (MD). No. 2010 of 2023 which was closed on 13.10.2023.



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Prayer in CONT P(MD). 2010/ 2023 :

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Contempt Petition filed under Section 11 Contempt of Court Act, 1971, to initiate contempt proceedings against the Contemnor herein for his willful disobedience to the order passed by this Honourable Court in WP(MD). No.14225 of 2023 dated 19.06.2023 and punish him accordingly.

Prayer in WP(MD). 14225/ 2023 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first Respondent to conduct an enquiry and dispose the Petitioners representation dated 22.03.2023 within a time period stipulated by this Court.

ORDER:- This Sub-Application coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.K.Manoharan, Advocate for the Petitioner and none appeared either in person or through advocate for respondent, this Court made the following order:

The petitioner with a grievance that the order passed by this Court in W.P. (MD)No.14225 of 2023, dated 19.06.2023 has not been complied with, has filed the Contempt Petition in Cont.P.(MD)No.2010 of 2023.



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2. By referring the proceedings dated 22.08.2023, it was represented before this Court that the petitioner's representation dated 22.03.2023 has been considered and the order of this Court dated 19.06.2023 passed in W.P.(MD)No.14225 of 2023 has been complied with. Based on the said representation, the Contempt Petition was closed, by order dated 13.10.2023.

3. Now, the petitioner, with a grievance that the proceedings dated 22.08.2023 has not been passed based on his representation dated 22.03.2023, has filed this Sub-Application to re-open the contempt petition.

4. A perusal of the proceedings dated 22.08.2023 discloses that there is no reference about the representation of the petitioner dated 22.03.2023. However, based on the representation made that the petitioner's representation has been considered 22.03.2023, the contempt petition was closed.

5. In the Sub-Application, this Court, on 08.01.2024, ordered notice to the respondent. Though notice has been served on the respondent, he failed to appear before this Court and response to this application.



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6. Therefore, this Sub-Application is ordered. The Registry is directed to re-open the contempt petition and list the contempt petition for further hearing on 09.02.2024.

Sd/-

Assistant Registrar (CO)

// True Copy //

08 /02/2024

Sub Assistant Registrar
(CS-I / II / III / IV)

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TO

1. The Chief Executive Officer,
Tamil Nadu Waqf Board No.1,
Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

Copy to:

The Section Officer,
Contempt Posting
Madurai Bench of Madras High Court,
Madurai.
(for the purpose of
listing the matter on 09.02.2024)



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ORDER DATED : 02/02/2024

Post on : 09.02.2024

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ORDER

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SUB A(MD). No.336 of 2023

in

CONT P(MD). 2010/ 2023

**Giving direction and etc.
as stated within.**

RD(08/02/2024) 5P / 3C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.