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C.R.P.No.4135 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2025

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.No.4135 of 2025

and

C.M.P.No.21296 of 2025

M.Jahir Hussain

... Petitioner

VS.

1.The Tamil Nadu Waqf Board,
Rep. by it's Chief Executive Officer,
No.1, Jaffer Syrang Street,
Vallal Seethakkathi Nagar,
Chennai – 600 001.

2.Santha Hussain Avliya Darga Waqf,
Rep by its Adhoc Committee,
i. Mohammed Farooq,
ii. Mohammed Ibrahim,
iii. Noor Mohammed,
iv. Ayub Khan,
v. Ibrahim Sha,
Having office at No.33,
Hazarath Santha Hussain Avuliya Darga Waqf complex,
Manambuchavadi,
Tanjore Town – 613001, Tanjore District,
(amended as per order memo in Sr.No.1362/2025
dated 14.05.2025)



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3.Mohammed Sheriff

4.Mohammed Shafi

5.Sirajudeen

... Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside order dated 12.08.2025 passed in memo filed by the petitioner in Memo in O.A.No.83 of 2025 (Old O.S.No.24 of 2024) on the file of Waqf Tribunal, Chennai.

For Petitioner : Mr.M.M.I.Khaleel
for M/s.A.Ajimath Begum

For R1 : Mrs.Rajeswari Karthikeyan
Standing Counsel for TNWB

For R3 to R5 : Mr.KTS.Sivakumar

For R2 : Service Awaited

ORDER

The Civil Revision Petition is filed challenging the order passed by the Waqf Tribunal, Chennai dated 12.08.2025 returning the memo filed by



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the petitioner seeking permission of the Tribunal to examine witnesses by filing his proof affidavit.

2. When the civil revision petition is taken up for hearing, the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents 1 and 3 to 5 would submit that all the respondents in original application already said no objection for examination of witnesses by the applicant before the Tribunal and recording the same, the Tribunal posted the matter on 07.11.2025 for examination of witnesses by the applicant.

3. It is needless to say that original application filed before the Waqf Tribunal, Chennai is as good as a suit and opportunity shall be given to the parties to examine their witnesses and cross examine the witnesses of the opposite side. The impugned endorsement made in the memo filed by the petitioner cannot be sustained. In any event, according to the learned counsel appearing for either side, the Waqf Tribunal already fixed date for examination of witnesses on 07.11.2025. In such circumstances, no further orders are required in this civil revision petition and the same is disposed of



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with a direction to the Waqf Tribunal, Chennai to permit the parties to lead evidence by examining witnesses. No costs. Consequently, the connected civil miscellaneous petition is closed.

05.11.2025

Index : Yes / No
Speaking order : Yes / No
Neutral Citation : Yes / No
dm



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To

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1.The Waqf Tribunal,
Chennai.

2.The Chief Executive Officer,
Tamil Nadu Waqf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakkathi Nagar,
Chennai – 600 001.



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S.SOUNTHAR, J.

dm

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