



CMP(MD) NO. 14501 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20-02-2025

CORAM

THE HONOURABLE MR JUSTICE G.ILANGO VAN

CMP(MD) NO. 14501 of 2023

IN

SA(MD) NO. 421 OF 2005

The Muslim Jamath Of Eachampatti
Rep. by its Secretary,
K.Samsudeen

Petitioner(s)

Vs

1. Syed Assad Basha
S/o.Syed Kasim Hussain,
Eachamapatti,
H/o.Kalpalayam Village,
Lalgudi Taluk,
Trichy District.

2. Rahmathullah Shuthari @ Peer Hazaarath (Died)

3. The Tamil Nadu Wakf Board
Rep. by its Secreatary,
Santhom High Road,
Chennai.

4. The State of Tamil Nadu
Represented by its District Collector,
Collector office, Cantonement,
Tiruchirapalli -1

5. Syed Shah Ghulam Suttari @ Syed Peerzada
S/o.Late Rahamathullah Shuthari @ Syed Peerzada,
Rahmathullah Shah Pakiri Taika WAKf,
Kalpalayam Village, Eachampatti,
lalgudi Taluk,
Tiruchirappalli District.

Respondent(s)



CMP(MD) NO. 14501 of 2023

For Petitioner(s): Mr.P.Thiyagarajan

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For Respondent(s): Mr.K.K.Senthil for R3

Mr.D.S.Nedunchzian,
Government Advocate for R4

Mr.K.P.Narayanakumar for R5

ORDER

(Order of the Court was made by the Hon'ble G.ILANGO VAN J.)

This petition has been filed to delete the 1st respondent viz., Syed Assad Basha in the above second appeal in S.A.(MD).No.421 of 2005.

2.The learned counsel for the petitioner would submit that the first defendant, who is the first respondent herein died leaving behind his wife. Now the whereabouts of the wife is not known. In the earlier round of litigation the first defendant was deleted by the Honourable Supreme Court in SLP.No.7401 of 1997. But that fact was not taken into note by the appellate Court. Now he is dead also. For that purpose he wants to delete the name of the first defendant from the file.

3.The above said submission is placed on record. The death of 1st respondent is recorded.

4.Accordingly, with the above said observation, this civil miscellaneous petition stands closed.



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5. List the main second appeal on 04.03.2025.

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

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TO

1 THE SUBORDINATE JUDGE, TRICHY.

2 THE DISTRICT MUNSIF, TRICHY.

ORDER

IN

CMP(MD) NO. 14501 of 2023

IN

SA(MD) NO. 421 OF 2005

Date :20/02/2025

RS/GSV/SAR-(21.02.2025) 3P 3C

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