



WEB COPY

CRP No. 559 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-02-2026

CORAM

THE HON'BLE MR.JUSTICE S. SOUNTHAR

CRP No. 559 of 2026

K.P.John

..Petitioner(s)

Vs

1. The President

Sholavanthan Nainar Tholugai
Pallivasal Jamath Committee,
Sholavanthan Village,
Vadipatti Taluk,
Madurai District.

2. The Secretary

Sholavanthan Nainar Tholugai
Pallivasal Jamath Committee,
Sholavanthan Village,
Vadipatti Taluk,
Madurai District.

3. The Tamilnadu Waqf Board

represented by its Chief Executive Officer,
D.No.1 Vallalsethakathi Nagar
Jaffarsrammal St,
Chennai 600 001.



..Respondent(s)

Prayer:- Civil Revision Petition is filed under Article 227 of the Constitution of India, pleaded to directing the Waqf Tribunal, Chennai to number the IA.SR.No.23 of 2026 in OS.No.4 of 2024 dated 06.01.2026 and allow this CRP

For Petitioner(s): Mr.M.Venkatesan

For Respondent(s): M/s.P.Nagoormeeran for R1 & R2

M/s.Rajeshwari Karthikeyan

(takes notice for R3)

ORDER

The Civil Revision Petition is filed seeking direction to Waqf Tribunal, Chennai, to number I.A.Sr.No.23 of 2026 in O.S.No.4 of 2024 and allow the Revision Petition.

2.The respondents 1 and 2 filed a suit seeking declaration that suit property belongs to Sholavanthan Nainar Tholugai Pallivasal and for consequential recovery of possession. The petitioner herein who was arrayed as first defendant in the suit filed instant application seeking direction to third respondent Waqf Board to produce proforma dated 31.12.1955 relating to the suit property and alleged gazette notification dated 27.05.1959. The said application was returned by the trial Court stating that petitioner shall issue notice to produce and if the Waqf Board failed to produce the document then question regarding taking adverse inference can be decided at the time of final



disposal of the suit. Aggrieved by the said order, the petitioner is before this Court seeking direction to number the I.A.

WEB COPY

3.The petitioner seeks direction to third respondent / Waqf Board to produce proforma mentioned in the plaint. It is always open to the petitioner to issue notice to produce to the third respondent who is arrayed as second defendant in the suit. In case, the required document has not been produced by the second defendant, the petitioner can always make his submission requesting the Court to take adverse inference. When the petitioner has not issued notice to produce, the trial Court was justified in returning the petition filed by him seeking production of document. Therefore, this Court is not inclined to issue any direction to the Waqf Tribunal, Chennai, to number the I.A. filed by the petitioner. Accordingly, the Civil Revision Petition is dismissed, however, with liberty to the petitioner to issue notice to the produce. No costs.

09-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

ep



S.SOUNTCHAR, J.

ep

To

1. The President
Sholavanthan Nainar Tholugai
Pallivasal Jamath Committee,
Sholavanthan Village,
Vadipatti Taluk,
Madurai District
2. The Secretary
Sholavanthan Nainar Tholugai
Pallivasal Jamath Committee,
Sholavanthan Village,
Vadipatti Taluk,
Madurai District
3. The Tamilnadu Waqf Board
represented by its Chief Executive Officer,
D.No.1 VallalSethakathi Nagar Jaffarsrammal
St,
Chennai 600 001
- 4.The Waqf Tribunal, Chennai.

CRP No. 559 of 2026

09-02-2026