



WA(MD) No.1291 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Friday, the Eleventh day of August Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice S.S.SUNDAR

and

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

W.A.(MD) No.1291 of 2023

and

C.M.P.(MD) No.9825 of 2023

1 S. THAJUDEEN (TRUSTEE)

2 J. HANEEFA (TRUSTEE)

3 K. SYED IBRAHIM, (TRUSTEE)

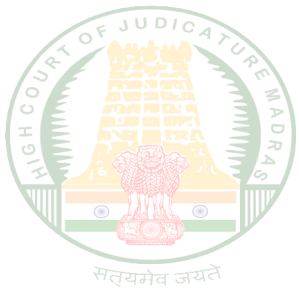
... APPELLANTS/3 TO 5 RESPONDENTS

Vs

1 HAJI. M. ABDUL BAROOK,

...1ST RESPONDENT/PETITIONER

2 THE CHIEF EXECUTIVE OFFICER,
TAMIL NADU WAQF BOARD,
NO.1, JAFFER SYRANG STREET,
VALLAL SEETHAKATHI NAGAR,
CHENNAI -600001.



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3 THE WAQF SUPERINTENDENT,
WAQF SUPERINTENDENT OFFICE,
M.G. COMPLEX,
PALAKARI,
TENNUR, TRICHY.

... RESPONDENTS 2 & 3/RESPONDENTS 1&2

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to set aside the order made in WP(MD)No.29102 of 2022 dated 19.04.2023.

Prayer in CMP(MD). 9825/ 2023 :

To grant an order in the nature of an Ad interim stay of all further proceedings pursuant to the order made by this Honourable court in WP(MD). No. 29102 of 2022 dated 19.04.2023 pending disposal of this WA and thus render justice.

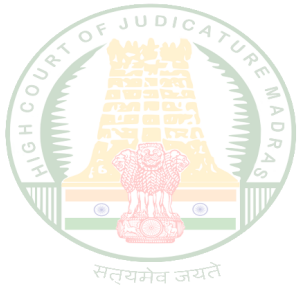
Prayer in WP(MD). 29102/ 2022 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st and 2nd respondent herein to notify Makka Masjid Pallivasal and Madharsa namely A1 Hidayah Maktab situated at Plot. No.24 and 25, Dhanarathinam Nagar extension, Mahalakshmi Nagar, Tanjore road, Trichy as Wakf and consequently to frame the scheme for management and administration of the same as per the Wakf Act, 1995 (Amended Act 2013) by considering the petitioners representation dated 29.07.2022 within the time period that may be specified by this Honble Court.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S. M. MAHABOOB ATHIFF, Advocate for the petitioner and of M/S.P.YASMIN BEGUM, Advocate on behalf of the Respondent No.1, the court made the following order:-

[Order of the Court was made by S.S.SUNDAR, J.]

Ms.P.Yasmin Begum, learned counsel, takes notice for the first respondent.



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2. Notice to the respondents 2 & 3 returnable in three weeks. Private notice is also permitted.

3. Post after three weeks.

4. It is made clear that enquiry by the Wakf Board may go on, however, there shall not be any final decision until further orders.

sd/-
11/08/2023

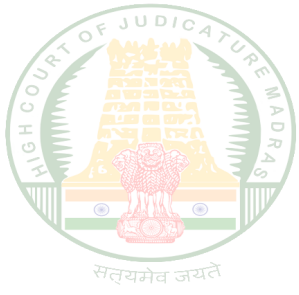
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/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

krk

TO

1 THE CHIEF EXECUTIVE OFFICER,
TAMIL NADU WAQF BOARD,
NO.1, JAFFER SYRANG STREET,
VALLAL SEETHAKATHI NAGAR,
CHENNAI -600001.



WA(MD) No.1291 of 2023

2 THE WAQF SUPERINTENDENT,
WAQF SUPERINTENDENT OFFICE,
M.G. COMPLEX,
PALAKARI,
TENNUR, TRICHY.

+1. C.C. to M/S. M. MAHABOOB ATHIFF Advocate SR.No.12333

ORDER
IN
W.A.(MD) No.1291 of 2023
and
C.M.P.(MD) No.9825 of 2023
Date :11/08/2023

RK /BUC(16/08/2023) 4P / 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023