



W.P(MD)No.20737 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.07.2026

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.20737 of 2026

K.Y.M Kamal Basha

... Petitioner

Vs

- 1.The Tamil Nadu Waqf Board,
Represented by its Chairman,
No.1, Jaffar Syrang Street,
Vallalseethakathi Nagar,
Chennai.
- 2.The Chief Executive Officer,
The Tamil Nadu Waqf Board,
No.1, Jaffar Syrang Street,
Vallalseethakathi Nagar,
Chennai.
- 3.The Superintendent of Waqf,
Thanjavur Zone,
Railway Colony, Diwan Nagar,
Thanjavut District.

4.M.Umar Khatab

... Respondents



W.P(MD)No.20737 of 2026

WEB COPY

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the respondent Nos.1 to 3 to hold selection through an advocate commissioner to be appointed by this Court for selecting the office bearers of Mohaideen Aandaavar Pallivasal Waqf, Aavur, (GS No.376/TVR) by considering the petitioner's representation dated 21.05.2026 within the time stipulated by this Court.

For Petitioner : Mr.A.M.Akbar Ali

For Respondents : Mr.K.Jeyamohan
Standing Counsel

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus directing the respondents 1 to 3 to conduct the election for selecting the office bearers of Mohaideen Aandaavar Pallivasal Waqf, Aavur (G.S. No.376/TVR), through an Advocate Commissioner to be appointed by this Court, by considering the petitioner's representation dated 21.05.2026, within the time stipulated by this Court.



W.P(MD)No.20737 of 2026

WEB COPY

2.By consent of the learned counsel appearing on either side, the Writ Petition is taken up for final disposal at the stage of admission itself.

3.The learned counsel appearing for the petitioner submitted that the petitioner is a resident of Aavur and a member of Mohaideen Aandaavar Pallivasal Waqf. The said Waqf is a notified Waqf under the Waqf Act, 1995. The petitioner had also served as a Treasurer of the said Waqf from 21.02.2020 to 20.02.2023. Being a member and former office bearer of the Waqf, the petitioner is an interested person within the meaning of Section 3(k) of the Waqf Act.

4.It is further submitted that, after the expiry of the tenure of the earlier office bearers, no election has been conducted till date for electing the office bearers of the petitioner Waqf. Therefore, the petitioner submitted a representation dated 21.05.2026 seeking conduct of election. Since the said representation was not considered, the present Writ Petition has been filed.



W.P(MD)No.20737 of 2026

WEB COPY

5.The learned Standing Counsel appearing for the respondents 1 to 3 submitted that this Court may appoint an Advocate Commissioner for conducting the election of Mohaideen Aandaavar Pallivasal Waqf and fix the remuneration. It is further submitted that the Advocate Commissioner may coordinate with the officials of the Waqf Board and supervise the election process in a peaceful manner.

6.Heard the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondents 1 to 3 and perused the materials available on record.

7.Considering the facts and circumstances of the case and in order to ensure a fair and transparent election process, this Court is inclined to appoint Advocate Commissioners for supervising the election to be conducted for selecting the office bearers of Mohaideen Aandaavar Pallivasal Waqf, Aavur.



W.P(MD)No.20737 of 2026

WEB COPY

8. Accordingly, this Court appoints:

(i) Mr. K. Sanjay Kannan, Advocate, Enrollment No.8888/2025, No.128, Law Chambers, Madurai Bench of Madras High Court, Madurai – 23 (Mobile No.93630 43307); and

(ii) Ms. P.R. Priya Dharshini, Advocate, Enrollment No. 5321/2025, Chamber No.163, Lawyers' Chamber, Madurai Bench of Madras High Court, Madurai – 23 (Mobile No.63800 33642), as Advocate Commissioners to supervise and oversee the election process of Mohaideen Aandaavar Pallivasal Waqf, Aavur.

9. The remuneration of the learned Advocate Commissioners is fixed at Rs.25,000/- (Rupees Twenty Five Thousand only) each, which shall be paid by the petitioner and Waqf authorities equally.

10. The Superintendent of Waqf is directed to issue necessary notification for conducting the election to the office bearers of Mohaideen Aandaavar Pallivasal Waqf, Aavur, by fixing the date, time and venue for the



W.P(MD)No.20737 of 2026

WEB COPY election.

11.On the date of election, the learned Advocate Commissioners shall coordinate with the Superintendent of Waqf and supervise the election proceedings to ensure that the same is conducted in a free, fair and peaceful manner.

12.With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

22.07.2026

NCC : Yes / No

Index : Yes / No

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Note: Registry is directed to issue warrant to the Advocate Commissioners forthwith.



W.P(MD)No.20737 of 2026

WEB COPY

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WEB COPY



W.P(MD)No.20737 of 2026

M.DHANDAPANI, J.

ps

W.P(MD)No.20737 of 2026

22.07.2026