

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 5TH DAY OF JUNE 2015/15TH JYAISHTA, 1937

WP(C).No. 15831 of 2015 (D)

PETITIONER:

PARAVUR MUSLIM JAMA-ATH AGED 70 YEARS
THEKKUMBHAGAM PO, PARAVUR, KOLLAM 691 319
REPRESENTED BY ITS SECRETARY, HAJI K.M, MOHAMED BASHIR
THEKKUMBHAGAM PO, PARAVUR, KOLLAM 691 319

BY ADVS.SRI.ASHIK K.MOHAMMED ALI
SMT.SAJNA T.UMMER
SMT.V.RAIMA RAMESH

RESPONDENT(S):

KERALA STATE WAKF BOARD
V.I.P ROAD, KALOOR, ERNAKULAM 682 017
REPRESENTED BY ITS CHIEF EXECUTIVE OFFICER

R BY SRI.K.SHIBILI NAHA, SC, KERALA STATE WAKF BOARD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 15831 of 2015 (D)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1-THE COPY OF THE INTERIM ORDER OF THE WAKF BOARD IN OP NO.30 OF 2013
DT. 20.3.2013

EXT.P2- TRUE COPY OF THE RECEIPT ISSUED BY ADVOCATE MANACCADU
BADARUDEEN KOYA IN OP NO.30 OF 2013 DT 18.7.13

EXT.P3- TRUE COPY OF THE ORDER DATED 30.12.2014 OF THE WAKF BOARD IN OP NO.
30 OF 2013

EXT.P4- TRUE COPY OF THE REQUESTDATED 9.2.2015 GIVEN BY THE JAMA-ATH BEFORE
THE WAKF BOARD

EXT.P5-TRUE COPY OF THE ACKNOWLEDGMENT CARD ISSUED BY THE WAKF BOARD

EXT.P6- TRUE COPY OF THE INTERIM ORDER DATED 16.2.2015 OF THE HONOURABLE
WAKF TRIBUNAL, KOLLAM IN OS NO. 8 OF 2015

EXT.P7- TRUE COPY OF THE INTERIM ORDER DATED 3.3.2015 OF THE HONOURABLE
WAKF TRIBUNAL KOLLAM IN OS NO.9 OF 2015

RESPONDENT(S)' EXHIBITS: NIL

TRUE COPY

P.A TO JUDGE

jma

K. VINOD CHANDRAN, J

W.P(C) No. 15831 of 2015

Dated this the 05th day of June, 2015

J U D G M E N T

The petitioner is a Waqf, the term of the committee of which expired long back. The Committee whose term has expired is continuing, since no election is conducted and no audit also has been conducted, which is the responsibility of the respondent Board. Ext.P1 indicates that as early as in 2013, the Waqf Board had passed an order wherein an auditor was appointed to audit the accounts for the period 2007-08 to 2011-12 and the auditor was also directed to file a report within six months from that date. The petitioner's grievance is insofar as the auditor having not conducted any audit.

2. Definitely, it is the responsibility of the Waqf Board to conduct audit and also conduct the election. The learned Standing Counsel appearing for the Waqf Board submits that the

same shall be done expeditiously. Whether the elections have to be held up, till the audit is over or not is a question, which will have to be decided by the Waqf Board. In any event, the election shall be conducted within a period of three months from today, if there is no other legal impediment.

Writ petition is disposed of.

Sd/-

(K. VINOD CHANDRAN, JUDGE)

jma

//true copy//

P.A to Judge