

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 22ND DAY OF SEPTEMBER 2015/31ST BHADRA, 1937

WP(C).No. 16419 of 2015 (B)

PETITIONER(S):

1. MUHAMMED BASHEER.T.V.,
S/O MAMMAD, AGED 44 YEARS,
TAZATH VEEDAN HOUSE, ALINCHUVAD,
THACHANNA, MAITRA POST, AREACODE- 673 639,
MALAPPURAM DISTRICT.
2. SAIFUDEEN C.P.,S/O BEERAN, AGED 26 YEARS,
CHEEDIPARA HOUSE, ALINCHUVAD,
THACHANNA, MAITRA POST, AREACODE -673 639,
MALAPPURAM DISTRICT.
3. ABDUL RAZACK.K.,S/O CHEKKU, AGED 38 YEARS,
KARIMBANA HOUSE, ALINCHUVAD,
THACHANNA, MAITRA POST, AREACODE- 673 639,
MALAPPURAM DISTRICT

BY ADV. SRI.M.KRISHNAKUMAR

RESPONDENT(S):

1. THE CHIEF EXECUTIVE OFFICER,
KERALA STATE WAQF BOARD, VIP ROAD, KALOOR,
KOCHI -682 017
2. THE KERALA STATE WAQF BOARD,
REPRESENTED BY ITS CHIEF EXECUTIVE OFFICER, VIP ROAD,
KALOOR, KOCHI -682 017
3. MUNEERUL ISLAM SANGHAM, THACHNNA,
(A SOCIETY REGISTERED UNDER THE SOCIETIES REGISTRATION ACT,
1860) REPRESENTED BY ITS SECRETARY, MAITRA P.O.,- 673 639
AREACODE (VIA), MALAPPURAM DISTRICT.

*ADDL.R4 TO R6 IMPEADED

*ADDL.R4: IMBICHI KOYA THANGAL, AGED 61 YEARS,
S/O.KUNHI SEETHI KOYA THANGAL, THACHANNA,
OORNGATTIRI AMSOM, ERNAD TALUK,
MALAPPURAM DISTRICT-673 639

WP(C).NO.16419/2015

***ADDL.R5: UZHUNNAN AYTHUTTY, AGED 67 YEARS,
S/O. AHAMMAED KUTTY HAJI, UZHUNNAN HOUSE,
MAITRA, THACHANNA, OORNGATTIRI AMSOM,
ERNAD TALUK, MALAPPURAM DISTRICT-673 639**

***ADDL.R6: N.V.ABDUL SALAM, AGED 53 YEARS,
S/O.KUNHASSAN, NADUVEETIL HOUSE,
THACHANNA, ANAKKALLINGAL, MAITRA,
OORNGATTIRI AMSOM, ERNAD TALUK,
MALAPPURAM DISTRICT-673 639**

***ADDITIONAL R4 TO R6 ARE IMPEADED AS PER ORDER DATED 10/6/2015 IN
IA.NO.7718/2015.**

R1 & R2 BY SRI.K.SHIBILI NAHA, SC, KERALA STATE WAKF BOARD

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 22-09-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

sts

WP(C).No. 16419 of 2015 (B)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1	TRUE COPY OF THE REGISTERED BY - LAWS OF THE 3RD RESPONDET SOCIETY
EXT.P2	TRUE COPY OF THE NOTICE DATED 5-3-2015
EXT.P3	TRUE COPY OF THE JUDGMENT DATED 5/8/1998 IN OS. 255/1997
EXT.P4	TRUE COPY OF THE DECREE IN O.S.255/1997
EXT.P5	TRUE COPY OF THE COMPLAINT DATED 21/5/2015 FILED BY THE PETITIONERS BEFORE THE WAKF BOARD

RESPONDENT(S)' EXHIBITS: **NIL**

/TRUE COPY/

P.S.TO JUDGE

sts

A.MUHAMED MUSTAQUE, J.

W.P(C)No. 16419 of 2015

Dated this the 22nd day of September, 2015

J U D G M E N T

Petitioners approached the second respondent under Section 30(2) of the Wakf Act. The complaint of the petitioners is that overlooking the bye-laws, the third respondent is proposing to conduct elections.

2. This Court is of the view that the second respondent-Board shall take appropriate decision in the matter on Ext.P5, after hearing the petitioners, the third respondent and additional respondents 4 to 6 within a period of four months from the date of receipt of a copy of this judgment. It is for the petitioners to move the Wakf Board for interim stay of the proposed election. If such application is filed, the same shall also be considered without delay.

This writ petition is disposed of with the above observation.

sd/-

MBS/

A.MUHAMED MUSTAQUE, Judge

CRL.A.NO.

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