

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 20.10.2015

CORAM

THE HONOURABLE MR.JUSTICE T.MATHIVANAN

W.P.No.33922 of 2015

A.Salam Sulaiman  
General Secretary  
Al Sunnathval Jamaath Jumma Masjid  
AE-11 (Old No.AE-174)  
11th Main Road, Anna Nagar,  
Chennai-40 .. Petitioner

Versus

The Tamilnadu Wakf Board  
Rep by its Chief Executive Officer  
No.1 Jaffer Syrang Street,  
Vallal Seethakathi Nagar  
Chennai-01. .. Respondent

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing the Respondent to consider and pass orders on the representation of the Petitioner dated 06.10.2015 for a requisition to conduct elections for Sathankulam Al Sunnathval Jamaath Wakf at Chennai within a time frame limit that may be fixed by this Honourable Court.

For Petitioner : Mr. T.Mohamed Faizal

O R D E R

This writ petition is filed by the petitioner, under Article 226 of the Constitution of India seeking a direction in the nature of writ, particularly a writ of mandamus directing the respondent to consider his representation dated 16.10.2015 to conduct elections for Sathankulam Al Sunnathval Jamaath Wakf at Chennai within a time limit, which may be fixed by this Court.

2. It is revealed from the averments of the affidavit, that the petitioner herein, is the General Secretary of Al Sunnathval Jamaath Jumma Masjid, which is situated at AE-11 (Old No.AE-174), 11th Main Road, Anna Nagar, Chennai. He has stated that the above said Al Sunnathval Jamaath Jumma Masjid, has been functioning under the aegis of the respondent viz., Tamilnadu Wakf Board. The said Jamaath was registered in the year 1979 (Regn.No.471/TNV), having its members in Chennai and Sathankulam. The purpose of formation of the above said Jamaath is with respect to the religious activities and for the welfare of the people particularly the poor and economically weaker sections. Besides the religious activities, the Jamaath serves the people with financial help for education and marriage, distributes

Zakaath, Fithra rice and provide kanji and charity in the form of hampers consisting of rice, dhal, etc.

3. The petitioner has stated that he had been elected as General Secretary of Al Sunnathval Jamaath Jumma Masjid. The tenure of the office bearers was expired as early as on 31.03.2013. However, as per the norms of their constitution of Jamaath, the petitioner continues as General Secretary for the said Jamaath and the same has been extended till today. The Jamaath people are spreaded across the State and they are located at a major strength at Chennai and that the elections were earlier conducted at Chennai only. In this circumstance, the petitioner had submitted a representation before the respondent viz., Tamilnadu Wakf Board, represented by its Chief Executive Officer, with a requisition to conduct elections to the Sathankulam Al Sunnathval Jamaath Jumma Masjid, at Chennai within a time frame. Since there was no response, the petitioner has approached this Court with this petition, seeking a direction as aforestated.

4. This Court has considered the submissions made by Mr.T.Mohamed Faizal, learned counsel for the petitioner and perused the averments of the affidavit along with the available material on record.

5. Having regard to all the related facts and circumstances, this Court finds that a direction may be given to the respondent to consider the petitioner's representation dated 06.10.2015 within a prescribed period.

6. Accordingly, the writ petition is disposed of with a direction to the respondent to consider the petitioner's representation dated 06.10.2015, within a period of fifteen days from the date of receipt of a copy of this order. There shall be no order as to costs.

ars/va

Sd/-

Assistant Registrar (C.C.C.)

/True Copy/

Sub-Assistant Registrar

To

Chief Executive Officer,  
Tamilnadu Wakf Board  
No.1 Jaffer Syrang Street,  
Vallal Seethakathi Nagar  
Chennai-01.

+1 C.C. To MR.I.Mohammed Faizal, Advocate in SR.NO.57800

W.P.No.33922 of 2015

SAI : (CO)

Sd : 05/11/2015

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