



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.06.2016

CORAM

WEB COPY

**THE HONOURABLE MR.JUSTICE M.VENUGOPAL**

**Writ Petition No.10094 of 2016**

**and**

**WM.P.(MD).NO.7912 of 2012**

Ahulas Sunnath Val Jamath,  
Jamia Mosque,  
rep. By its President,  
M.Dawood,  
Pallivasal Street,  
Mela Ambasamudram 627 401,  
Tirunelveli District.

... Petitioner

Vs.

1.The Tamil Nadu Wakf Board,  
executed by the Chief Executive Officer,  
Jaffer Syrang Street,  
Vallalseethakadi Nagar,  
Chennai.

2.The Superintendent of Wakf,  
Tirunelveli Region,  
Tirunelveli.

... Respondents

Prayer:-Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents 1 and 2 to hold elections to the petitioner Wakf by secret ballot method by considering the petitioner's representation dated 31.03.2016, within the time that may be stipulated by this Honourable Court.

For Petitioner :Mr.M.Mahaboob Athiff

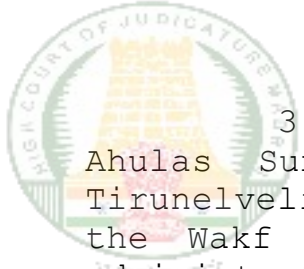
For Respondent :Mr.K.K.Senthil

Standing Counsel for RR-1 & 2

**ORDER**

Heard both sides.

2.By Consent, the main writ petition itself is taken up for final disposal.



3. According to the petitioner, he is the President of Ahulas Sunnath Val Jamath, Jamia mosque, Mela Ambasamudram, Tirunelveli District, which is a notified wakf under Section 6 of the Wakf Act, 1995. The said wakf is administered by an administrative body headed by a President for a tenure of three years. The President and office-bearers are selected by elections which are held every 3 years under the supervision of the third respondent. The petitioner was elected as President in the year 2007 and subsequently in the elections that took place in 2011, by means of secret ballot method, he was re-elected as the President of the Wakf.

4. The plea of the petitioner is that the tenure of management elected by means of election is three years and thus, the tenure of the management that was elected in the year 2011 got expired on 20.12.2015. Hence, an election is to be held for electing the management for the next tenure and in this regard, the petitioner preferred a representation on 31.03.2016 to the first respondent/Tamil Nadu Wakf Board, Chennai and the matter is pending as on date.

5. In view of the fact that the petitioner's representation dated 31.03.2016 addressed to the first respondent/Tamil Nadu Wakf Board, Chennai is pending as on date (without any progress), at this stage, this Court, without traversing upon the merits and contents of the representation of the petitioner, in the interest of Justice, directs the first respondent/Tamil Nadu Wakf Board, Chennai to look into the representation of the petitioner dated 31.03.2016 with all earnestness and seriousness and to dispose of the same on merits by passing a reasoned, speaking order in a fair and free mind (of-course, after providing necessary opportunity to the petitioner and others concerned, if any, by following the principles of natural Justice), within a period of five weeks from the date of receipt of a copy of this order.

6. With the aforesaid observation/direction, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

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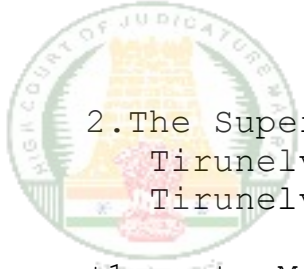
Sub Assistant Registrar

To

1. The Tamil Nadu Wakf Board,

executed by the Chief Executive Officer,

5, 6th Floor, Chyavanur Street, Vallalseethakadi Nagar, Chennai.



2.The Superintendent of Wakf,  
Tirunelveli Region,  
Tirunelveli.

+1 cc to M/s.Ajmal Associates, Advocate in SR.No.23951

+1 cc to M/s.K.K.Senthil, Advocate in SR.No.29001

vs

CSL/NGM-MP/17.06.2016 : 3P/5C

**Writ Petition (MD).No.10094 of 2016**  
**08.06.2016**