



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:22.09.2016

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition(MD)No.18124 of 2016

M.Abdullah

... Petitioner

Vs.

1.The Chief Executive Officer,
Tamil Nadu Wakf Board,
Wakf House No.1,
Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

2.N.Musthafa,
Chairman,
Madurai Goripalayam Muslim
Melakara Zamad,
No.3, Mohamadian Street,
Goripalayam,
Madurai -12.

3.A.Mohammed Ibrahim,
Secretary,
Madurai Goripalayam Muslim,
Melakara Zamad,
No.3, Mohamadian Street,
Goripalayam,
Madurai-12.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 1st respondent to declare "Administrative Committee" election in "Madurai Goripalayam Muslim Melakara Zamad Association" after the 2nd and 3rd respondents conduct General Body Meeting among the Zamad members as per the Zamad Association Bye Laws and by considering the petitioner's representation, dated 16.09.2016 within the period that may be stipulated by this Court.

For Petitioner

: M/s.P.Y.Asmin Begum

For R-1

: Mr.K.K.Senthil

**ORDER**

This Writ Petition has been filed by the petitioner seeking a direction to the 1st respondent to direct the Administrative Committee to conduct election in "Madurai Goripalayam Muslim Melakara Zamad Association" after conducting the General Body Meeting by the respondents 1 and 2, among the Zamad members as per the Association Bye-Laws, by considering the petitioner's representation, dated 16.09.2016, within a stipulated time.

2. According to the petitioner, the second and third respondents are the Chairman and Secretary of "Madurai Goripalayam Muslim Melakara Zamad Association" and they are not conducting the General Body Meeting of the Zamad and they are avoiding the conduct of General Body Meeting. In the above circumstances, the petitioner has filed this Writ Petition.

3. Mr.K.K.Senthil, learned standing counsel appearing for the Wakf Board, submitted that the period of the elected Board was already expired on 29.06.2016. Now the Wakf Board has also issued a direction to conduct election of the Zamad, within a period of three months, vide order dated 23.06.2016.

4. In the above circumstances, since the period of elected Board is over, the question of conducting General Body Meeting by the respondents-2 & 3, does not arise. If at all the petitioner is having any grievance, it is open to the petitioner to approach the Wakf Board, under Section 83 of the Wakf Act to get appropriate remedy. In the meantime, as per the direction issued by the Wakf Board, the Wakf Superintendent is directed to conduct election of Goripalayam Muslim Melakara Zamad, within the time stipulated by the Wakf Board.

With the above observation and direction, this Writ Petition is disposed of. No Costs.

Sd/-

Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

pm

To

The Chief Executive Officer, Tamil Nadu Wakf Board,
Wakf House No.1, Jaffar Syrang Street, Vallal Seethakathi Nagar,
Chennai - 600 001.

+1CC to Mr.P.Yasmin Begum, Advocate Sr.No.54626

+1CC to Mr.K.K.Senthil, Advocate Sr.No.55525

GJM/SS2/3.10.2016-2p-4C

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22.09.2016