



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 22.12.2016

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THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P (MD) No.24675 of 2016

and

W.M.P (MD) No.17791 of 2016

Mohamed Aliyar

..Petitioner

Vs

1.The Superintendent,
Wakf Board,
Dharpasayanam Road,
Ramanathapuram,
Ramanathapuram Taluk and District.

2.The Inspector,
Wakf Board,
Dharpasayanam Road,
Ramanathapuram,
Ramanathapuram Taluk and District.

..Respondents.

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to appoint Election Officer and to release final voter list and to conduct proper election in front of Election Officer for the post of Jamath President, Secretary, Treasury and Office bearers in Shafi Jumma Mosque, North Street, Vethalai Village, Ramanathapuram Taluk and District and for consequential orders.

For Petitioner : M/s.J.M.Hassanul Bazari

For Respondents : Mr.K.K.Senthil
Standing Counsel

ORDER

This Writ Petition is filed for a Writ of Mandamus to appoint Election Officer and to release final voter's list and to conduct proper election to the post of Jamath President, Secretary, Treasury and Office bearers in Shafi Jumma Mosque, North Street, Vethalai Village, Ramanathapuram Taluk and District.

2.Mr.K.K.Senthil, learned Standing Counsel takes notice for the respondents.



3. By consent of both parties, the main Writ Petition is taken up for disposal, at the admission stage itself.

4. Heard the learned counsel for the Petitioner and the learned Standing Counsel appearing for the respondents/Wakf Board.

5. Admittedly, election to the Jamath has been announced by issuing notice on 15.12.2016 stating that election will be conducted on 30.12.2016. Now the present Writ Petition is filed by the Petitioner by making certain allegations as though the election is going to be conducted without following certain procedures.

6. Needless to say that once the election notification is issued, the same cannot be stalled based on mere apprehension of the Petitioner. In any event, election is going to be conducted only in the presence of the representatives of the Wakf Board, namely, the second respondent herein. The present prayer sought for in this Writ Petition cannot be entertained and hence the Writ Petition is dismissed, however, granting liberty to the Petitioner to challenge the election, if he has any grievance, even after declaration of the results, in the manner known to law. Consequently, connected Miscellaneous Petition is dismissed. No costs.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

+1 cc to M/s.K.K.Senthil, Advocate in SR.No.83270

vsn

TTN/11.01.2017 : 2P-2C

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