



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.04.2016

CORAM :

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THE HONOURABLE MR.JUSTICE B.RAJENDRAN

Writ Petition (MD) Nos.7887 and 7917 of 2016

and

W.M.P(MD)Nos.6493, 6507 and 6508 of 2016

Haji Ali ... Petitioner in W.P(MD)No.7887 of 2016

Janab M.Khaja Mohideen

Janab M.Arif Khan

Janab A.M.Mohamed Rafi

Janab A.Sheik Abdul Sathar

Janab M.Ibrahim

Janab S.Haji Ali ... Petitioners in W.P(MD)No.7917 of 2016

Vs.

- 1.The State represented by its
Secretary,
Backward, Most Backward Class and
Minority Welfare Department,
Secretariat, Chennai 09.
- 2.The Chairman, Tamil Nadu Wakf Board,
Chennai 01.
- 3.The District Collector, Madurai District,
Madurai.
- 4.The Commissioner of Police,
City Police Commissioner Officer,
Madurai City.
- 5.The District Revenue Officer,
Madurai District.
- 6.The Chief Executive Officer,
Tamil Nadu Wakf Board,
Chennai 01.
- 7.The Superintendent, Tamil Nadu Wakf Board,
No.1 Town Hall Road, Madurai.
- 8.The Tahsildar, Headquarters, Madurai.



9.The Inspector of Police,
Jai Hindpuram Police Station,
Madurai City.

10.N.Abdul Rasheed, Ex Secretary,
Al Masjidur Rahmaniya Pallivasal,
S.M.Puram, Madurai. ... Respondents in W.P(MD)No.
7887 of 2016

1.The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffer Shrirang Street,
Vallal Seethakathi Nagar,
Chennai 600 001.

2.Wakf Superintendent,
Tamil Nadu Wakf Board,
No.1, Town Hall Road,
Madurai 625 001.

3.AL.Masjidur Rahmaniya Jammath Mosque,
S.M.Puram (Subramaniyapuram)
Rep by its Secretary,
No.42/9, 3rd Main Road,
Subramaniapuram,
Madurai 625 011. ... Respondents
in W.P(MD)No.7917 of 2016

Prayer in W.P(MD)No.7887 of 2016: Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondents 1 to 9 to take necessary action against the 10th respondent who is following "Social Boycott" against the petitioner and others in view of election dispute and consequently direct the respondents 1, 6 and 7 to take necessary action to conduct the election to enable the petitioner and his area public to have privileges and participation rights in "S.M.Puram Al Masjidur Rahmaniya Pallivasala" and its allied rights situated at S.M.Puram, Madurai City.

Prayer in W.P(MD)No.7917 of 2016: Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for the records relating to the proceedings in R.c.No.5539/12/B8/Thigal dated 03.03.2016 on the file of the 1st respondent herein and to quash the same and direct the respondents to implement the proceedings in Rc.No.5539/12/B8/Thigal dated 05.01.2016.

For Petitioner : Mr.S.A.S.Alaudeen
(in W.P(MD)No.7887/2016)

For Petitioners : Mr.S.Subbiah
(in W.P(MD)No.7917/2016)



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For Respondents : Mr.G.Muthukannan,
1,3 to 6, 8 & 9 Government Advocate
(in both W.Ps)
For Respondents : Mr.K.K.Senthil
(in both W.Ps) 2&7

COMMON ORDER

Since the issue involved in both the writ petitions are one and the same, they are taken up together and disposed of by a common order.

2.Admittedly, W.O.P.No.2 of 2015 has been filed challenging the original expulsion either from the executive committee or from the membership which is pending. While so, the first respondent by proceedings dated 03.03.2016 appointed the new President and deleted the names of the petitioners from the executive committee. Challenging the same, W.P(MD)No.7917 of 2016 has been filed. The impugned order in W.P(MD)No.7917 of 2016 is an appealable order which can be challenged before the Tribunal and therefore, the petitioners are at liberty to approach the Tribunal by filing fresh petition.

3.As far as W.P(MD)No.7887 of 2016 is concerned, the petitioner complains about the mosque not permitting him to offer religious activities for which he has to approach the Wakf Tribunal and the Tribunal shall take action.

4.In the result, the writ petitions are dismissed. No costs. Consequently, W.M.P(MD)Nos.6493, 6507 and 6508 of 2016 are closed.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

sms

To

1.The Secretary, Backward, Most Backward Class and
Minority Welfare Department, Secretariat, Chennai 09.

2.The District Collector, Madurai District,
Madurai.

3.The Commissioner of Police,
City Police Commissioner Officer,



4.The District Revenue Officer,
Madurai District.

5.The Chief Executive Officer,
Tamil Nadu Wakf Board, Chennai 01.

6.The Tahsildar, Headquarters, Madurai.

7.The Inspector of Police, Jai Hindpuram Police Station,
Madurai City.

+2CC to Mr.K.K.Senthil Advocate Sr.No.23075, 23076

+1CC to Mr.S.Subbiah Advocate Sr.No.22875

+1CC to Spl.Government Pleader Sr.No.23132

GJM/GSV/PM/6.5.16-4p-12C

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and
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