

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.04.2017

CORAM

THE HONOURABLE MR. JUSTICE M.DURAI SWAMY

W.P.No.8090 of 2017

L.K.K.Labbai Thamby

... Petitioner

Vs

1 The Chief Executive Officer
Tamil Nadu Wakf Board,
No.1 Jaffer Syrang Street,
Vallal Seethakathi Nagar Chennai-1.

2 The Managing Committee
Magdoo Pallivasal Kayalpattinam ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the 1st respondent to conduct elections by Secret ballot to Magdoo Pallivasal Kayalpattinam as sought by the petitioner vide representation dated 17.01.2017.

For Petitioner : Mr.N.A.Nissar Ahmed

For R1 : Mr.V.Lakshminarayanan

ORDER

The petitioner has filed the above writ petition to issue a Writ of Mandamus, directing the first respondent to conduct an election by secret ballot to Magdoo Pallivasal, Kayalpattinam, as sought for by the petitioner vide representation dated 17.01.2017.

2. Mr.Nissar Ahmed, learned counsel appearing for the petitioner, submitted that the first respondent has not conducted an election so far, inspite of the representation given on 17.01.2017.

3. Mr.V.Lakshminarayana, taking notice for the first respondent, submitted that the first respondent may be directed to conduct the election in four months time, since, the first

respondent is holding the additional charge and having the powers to conduct the election under Section 25 (1) (c) the Wakf Act, 1995.

4. In view of the above submissions made by the learned counsel on either side, I direct the first respondent to conduct the election by secret ballot to Maqdoom Pallivasal, Kayalpattinam, in accordance with law, within a period of four months from the date of receipt of a copy of this order.

With these observations, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

Jer/Rj
To

The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar, Chennai - 1.

+1cc to Mr.N.A.Nissar Ahmed, Advocate Sr.21379

W.P.No.8090 of 2017

gj[col]
srg 20/04/2017

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