



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.10.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. (MD) No.18510 of 2017

Sendu @ Mohammed Ismail

... Petitioner

Vs.

1. The Tamil Nadu Wakf Board,
represented by its Chief Executive Officer,
No.1, Jaffar Chirang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

2. The Superintendent of Wakf,
54/15, S.N.High Road,
Tirunelveli -1.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent herein to consider the petitioner's representation dated 02.05.2017 & 08.07.2017 for fixing the election schedule for the Management Committee of Sulaiman Nabi Pallivasal, Senkottai on merits and in accordance with law.

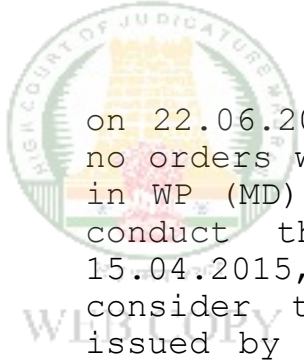
For Petitioner : M/s.K.Hemakarthiskeyan
For R.1 & R.2 : Mr.K.K.Senthil

ORDER

This writ petition has been filed for a Writ of Mandamus directing the first respondent to consider the petitioner's representations dated 02.05.2017 & 08.07.2017 for fixing the election schedule for the Management Committee of Sulaiman Nabi Pallivasal, Senkottai.

2. Mr.K.K.Senthil, learned counsel takes notice for the respondents. By consent, this Writ Petition itself is taken up for final disposal.

3. It is the case of the petitioner that the Sulaiman Nabi Pallivasal situated in Senkottai Town has issued a notification on 15.11.2013 stating that the first respondent has decided to elect a Jamath Committee through secret ballot and that the male members of the Muslim society, who had completed 18 years are eligible to vote. The said notification was challenged by the petitioner and others in WP(MD) No.2367 of 2014, which was disposed by this Court as early as



on 22.06.2015 and pursuant to the order, enquiry was conducted but no orders were passed. Thereafter, one Masood filed a writ petition in WP (MD) No.8999 of 2015 seeking direction to the respondents to conduct the election by considering the representation dated 15.04.2015, upon which, direction was issued to the respondents to consider the petitioner's representation. Despite the direction issued by this Court, no further order was passed with regard to fixation of election date. Thereafter, the petitioner submitted representations dated 02.05.2017 & 08.07.2017 to the first respondent, requesting to fix a date for election, which did not evoke any fruitful results and hence the petitioner has come before this Court with the above said prayer.

4. The learned counsel appearing for the respondents has, on instructions, submitted that the respondents have no objection in considering the request of the petitioner on merits.

5. In view of the above, without going into the merits of the claim made by the petitioner in this Writ Petition, the respondents are directed to pass appropriate orders on the representations of the petitioner dated 02.05.2017 & 08.07.2017 submitted for fixing the date for election on merits and in accordance with law after affording due opportunity of hearing to the petitioner as well as other interested parties, if any, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD-II)

/True Copy/

Sub Assistant Registrar

To

1. The Tamil Nadu Wakf Board,
represented by its Chief Executive Officer,
No.1, Jaffar Chirang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

2. The Superintendent of Wakf,
54/15, S.N.High Road, Tirunelveli -1.

+ 1 CC TO Mr.K.K.SENTHIL, ADVOCATE IN SR No. 81915

+ 1 CC TO M/s.K.HEMAKARTHIKEYAN, ADVOCATE IN SR No. 81823

RM/AR

TE/GT/SAR-IV : 23/10/2017 : 2P/5C

<https://hcservices.ecourts.gov.in/hcservices/>

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