



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.09.2017

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WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. (MD) No.6864 of 2017

S.Peer Mohamed

... Petitioner

Vs.

1. The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffar Syrangh Street,
Mannady, Chennai - 600 001.

2. The Superintendent of Wakf,
Tamil Nadu Wakf Board,
Velipattinam,
Ramanathapuram.

3. Syed Ibrahim,
President,
Rajapalayam Muslim Jamath,
Melapallivasal, Samandhapuram,
Rajapalayam.

... Respondents

[3rd respondent is impleaded vide
order dated 28.08.2017 in WMP(MD) No.12802/2017]

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to conduct Public Election through secret voting system for Rajapalayam Melapallivasal Jamath by considering petitioner representation dated 13.03.2017.

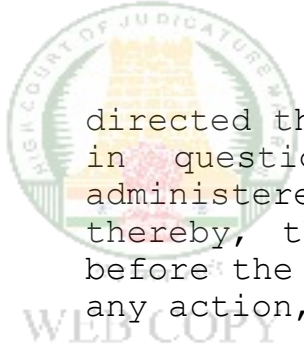
For Petitioner	: Mr.S.M.A.Jinnah
For Respondent	: Mr.K.K.Senthil, for R.1 & R.2 Mr.M.Mahaboob Athiff for M/s.Ajmal Associates for R.3

ORDER

This writ petition has been filed by the petitioner, seeking a Writ of Mandamus, directing the respondents to conduct Public Election through secret voting system for Rajapalayam Melapallivasal Jamath by considering his representation dated 13.03.2017.

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

2. The case of the petitioner is that though this Court



directed the Tamil Nadu Wakf Board to conduct election to the Jamath in question, election was not conducted and the Jamath is administered by the Eruthu Vahaira People unilaterally. Aggrieved thereby, the petitioner submitted a representation on 13.03.2017, before the respondents 1 & 2 and as the same is kept pending without any action, the petitioner is before this Court.

3. Heard the learned Counsel appearing on either side.

4. When the matter is taken up for hearing, the learned Counsel for the petitioner submitted that it would be suffice, if the representation of the petitioner, seeking to have elections in a democratic way, is disposed of by the respondents, in the manner known to law, within a stipulated time limit.

5. Considering the limited scope of the relief sought for, this Court, without going into the merits of the case, directs the respondents 1 & 2 to consider the representation of the petitioner dated 13.03.2017 and pass appropriate orders, on its own merits and in accordance with law, after affording due opportunity of hearing to the petitioner and all the 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 (CO)

/True Copy/

Sub Assistant Registrar

To

1. The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffar Syrangh Street,
Mannady, Chennai - 600 001.

2. The Superintendent of Wakf,
Tamil Nadu Wakf Board,
Velipattinam, Ramanathapuram.

+ 1 CC TO Mr.S.M.A.JINNAH, ADVOCATE IN SR No. 80480
+ 1 CC TO Mr.K.K.SENTHIL, ADVOCATE IN SR No. 80509
+ 1 CC TO M/s.AJMAL ASSOCIATES, IN SR No. 80103

GK

TE/JC/SAR-I : 12/10/2017 : 2P/6C

W.P. (MD) No.6864 of 2017
21.09.2017