

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.8.2018

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH, ACJ
AND
THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.A.No.1733 of 2018
and
C.M.P.No.13838 of 2018

K.S.Tajudeen

... Appellant/Petitioner

Versus

1. The Government of Tamil Nadu,
rep. by its Secretary,
Department of Backward Classes,
Most Backward Classes and Minority
Welfare, Fort St. George,
Chennai 600 009.
2. Tamil Nadu Wakf Board,
rep. by its Chairman/Chief Executive
Officer,
No.1, Jaffer Sirang Street,
Vallal Seethakathi Nagar,
Chennai 600 001.
3. The Chief Executive Officer
(Election Committee),
Tamil Nadu Wakf Board,
No.1, Jaffer Sirang Street,
Vallal Seethakathi Nagar,
Chennai 600 001.
4. Election Officer/Superintendent of Wakfs,
Periyapalli Vasal Complex,
Poonamallee, Chennai 600 056.
5. The Inspector of Wakfs,
Periyapalli Vasal Complex,
Poonamallee, Chennai 600 056.
6. Juma Masjid,
Sriperumbudur,
Kancheepuram District.

... Respondents

Prayer: Writ Appeal filed filed under Clause 15 of the Letters Patent against the order of this Court dated 6.7.2018 passed in W.P.No.16766 of 2018.

Prayer in W.P No.16766 of 2018:

Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus or any other appropriate Writ, order or direction in the nature of Writ directing the respondents 1 to 5 to correct the discrepancies and mistakes occurred in the voters list in respect of the 6th respondent mosque by name Juma Masjid Sriperumbudur Kancheepuram published in the year 2018 pursuant to the representation of the petitioner dated 26.06.2018.

For appellant : Mr.J.R.K.Bhavanantham

For R1 : Mr.P.S.Sivashanmugasundaram,
Special Government Pleader

JUDGMENT

(Judgment of the court was made by S.S.SUNDAR,J.)

The writ appeal has been filed challenging the order passed by the learned Single Judge in dismissing the writ petition in W.P.No.16766 of 2018 filed by the appellant.

2. The appellant/writ petitioner, being one of the members of the sixth respondent Juma Masjid, alleging that the election notification dated 22.6.2018 issued by fifth respondent with defective voters list in respect of the sixth respondent is illegal, filed the writ petition, seeking a direction to respondents 1 to 5 to correct the discrepancies and mistakes occurred in the voters list.

3. It is now represented that the election itself was held on 8.7.2018. Therefore, we are of the view that the subject matter of the writ petition has become infructuous. However, we

make it clear that it is open to the appellant to work out his remedy by approaching the Wakf Tribunal, if he establishes that voters list is not properly prepared and election is vitiated on that ground. The writ appeal is dismissed. No costs. The connected miscellaneous petition is also dismissed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

ssk.

To:

1. The Government of Tamil Nadu,
rep. by its Secretary,
Department of Backward Classes,
Most Backward Classes and Minority
Welfare, Fort St. George,
Chennai 600 009.
2. Tamil Nadu Wakf Board,
rep. by its Chairman/Chief Executive
Officer,
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3. The Chief Executive Officer
(Election Committee),
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4. Election Officer/Superintendent of Wakfs,
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Poonamallee, Chennai 600 056.

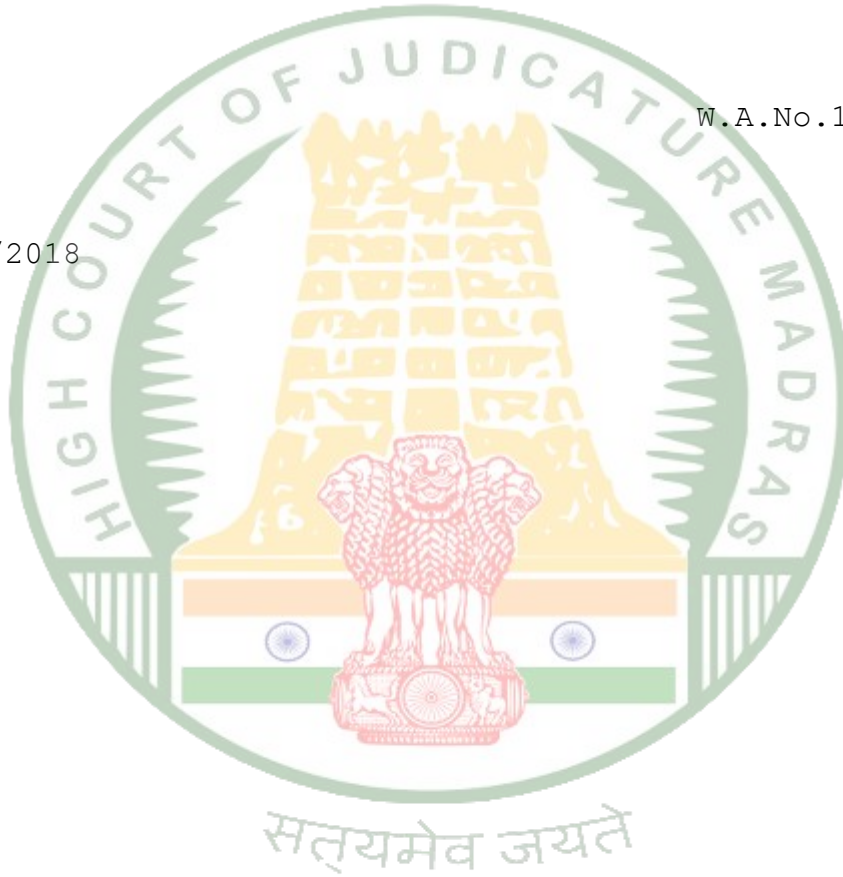
5. The Inspector of Wakfs,
Periyapalli Vasal Complex,
Poonamallee, Chennai 600 056.

6. Juma Masjid,
Sriperumbudur,
Kancheepuram District.

+3cc to Mr.J.R.K.Bhavanantham, Advocate Sr.55945, 55868,55204
+1cc to the Government Pleader Sr.56050

W.A.No.1733 of 2018

ev[col]
srg 28/09/2018



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