

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2018

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No.24880 of 2018 and
W.M.P. No.28923 of 2018

A.R.Sheik Babu

.. Petitioner

Vs

1.Tamil Nadu Wakf Board,
rep. by its Chief Executive Officer,
Vallal Seethakkathi Nagar,
Chennai-600 001.

2.Superintendent of Wakfs,
Tamil Nadu Wakf Board,
14-15, Mosque Buildings,
Avinashi Road, Coimbatore-18.

3.Vada Covai Ahlay Sunnath Jamaath
rep. by its Secretary Sanganur Kabarasthan Masjid
238, Mettupalayam Road,
Coimbatore-641 043.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the first and second respondents to conduct a free and fair election for electing office bearers of the third respondent Vada Covai Ahlay Sunnath Jamaath, Sanganur Kabarasthan Masjid, 238, Mettupalayam Road, Coimbatore-641 043 within the time frame fixed by this Court based on the representation dated 03.09.2018 by the petitioner.

For Petitioner : Mr.C.D.Sugumar

For Respondent : Ms.R.Poornima,
Wakf Board

ORDER

By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner has come up with this writ petition seeking a direction to the first and second respondents to conduct a free and fair election for electing office bearers of the third respondent Vada Covai Ahlay Sunnath Jamaath, Sangarur Kabarasthan Masjid, 238, Mettupalayam Road, Coimbatore-641 043 within the time frame, based on his representation dated 03.09.2018.

3.According to the learned counsel for the petitioner, the petitioner has submitted a representation dated 03.09.2018 claiming the same relief as prayed in this writ petition, but, the said representation is yet to be disposed of by the respondents. Hence, the petitioner is before this Court.

4.Learned Standing Counsel for the respondents would submit that since the suit in O.S. No.46 of 2016 on the file of the I Additional District Munsif, Coimbatore was pending, the respondents were not in a position to conduct the election as prayed for by the petitioner. Now the said Suit came to be disposed of/dismissed and therefore, there is no impediment for the respondents to conduct the said election.

5.Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the respondents to conduct the election in a free and fair manner in accordance with law as expeditiously as possible.

6.Accordingly, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

vga

To

1.The Chief Executive Officer,
Tamil Nadu Wakf Board,
Vallal Seethakkathi Nagar,
Chennai-600 001.

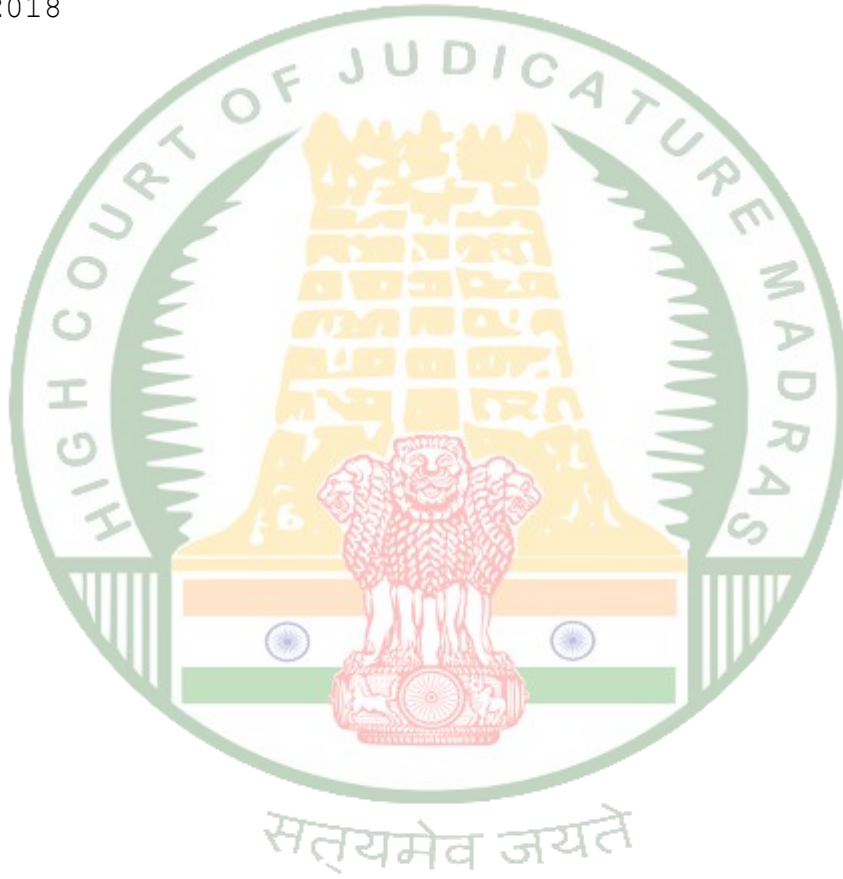
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2. Superintendent of Wakfs,
Tamil Nadu Wakf Board,
14-15, Mosque Buildings,
Avinashi Road, Coimbatore-18.

+1cc to Mr.C.D.Sugumar, Advocate sr.no.65312
+1cc to Mr.R.Poornima, advocate sr.no.65329

WP.No.24880 of 2018

spd(co)
nr 16/10/2018



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