

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.12.2018

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.23864 of 2018

S.B.Sheik Azeezuddin

.. Petitioner

Vs.

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

2. The Wakf Superintendent/Election Officer,
Tamil Nadu Wakf Board,
No.139, Dr.Besant Road,
Ice House, Chennai 600 005

.. Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to implement the election notification dated 05.03.2018 and conduct election by secret ballot for electing the office bearers of Dastagir Sahib Jamia Mosque, Jones Road, Saidapet, Chennai 600 015 as per the area fixed in the notification dated 16.03.2001.

For Petitioner : Mr.T.Velumani

For Respondents-1 & 2 : Mr.Haja Mohideen Gisti

ORDER

The petitioner has filed this Writ Petition seeking a direction to implement the election notification dated 05.03.2018 and conduct election by secret ballot for electing the office bearers of Dastagir Sahib Jamia Mosque, Jones Road, Saidapet, Chennai 600 015, as per the area fixed in the notification dated 16.03.2001.

2. The petitioner belongs to local Mohalla of Dasthagir Sahib Jamia Mosque and Endowments situate at No.54, Mosque Garden, East Jones Road, Saidapet, Chennai 600 015. There was a notice dated 16.03.2001, issued by the Executive Officer for Direct Management Wakfs, Chennai. Thereafter, a draft voters list was issued in the year 2014 by the Superintendent of Wakfs. By proceedings dated 11.09.2014, the first respondent-Wakf Board appointed seven persons for the management of the Wakf Board from 02.03.2017 to 01.11.2017. There are two representations given by the petitioner to the Wakf Board to extend the period of the management committee appointed. On 05.03.2018, an election notification was issued by the Chief Executive Officer stating that there will be a secret ballot election for the selection of Managing Committee of the above said Mosque and he was directed to conduct election by secret ballot system by observing all usual formalities within a period of two months. This Writ Petition is now filed seeking implementation of the said election notification.

3. Learned counsel appearing for the Wakf Board submitted that fixing the boundaries for the Mosque itself is not yet complete. Hence, he seeks six months time to fix the boundaries in the precincts of the mosque and then conduct election.

4. In the light of the above, as the process is little longer, the time mentioned in the election notification dated 05.03.2018 is extended by four months from the date of receipt of copy of this order.

5. With the above observation and direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

Srn

To

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

2. The Wakf Superintendent/Election Officer,
Tamil Nadu Wakf Board,
No.139, Dr.Besant Road,
Ice House, Chennai 600 005

+1 cc to Mr.T.Velumani, Advocate Sr.No.83812

+1 cc to M/s.S.Haja Mohideen Gisti, Advocate Sr.No.83906

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SKV(CO)
CSL/26.12.2018



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