

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.07.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.16766 of 2018

K.S.Tajudeen

.. Petitioner

-vs-

1. Government of Tamil Nadu rep.by
its Secretary
Department of Backward Classes,
Most Backward Classes and Minorities Welfare
Fort St.George
Chennai 600 009
2. Tamil Nadu Wakf Board represented by
its Chairman/Chief Executive Officer
No.1, Jaffar Strang Street
Vallal Seethakathi Nagar
Chennai 600 001
3. The Chief Executive Officer
(Election Committee)
Tamil Nadu Wakf Board
No.1, Jaffar Strang Street
Vallal Seethakathi Nagar
Chennai 600 001
4. Election Officer/
Superintendent of Wakfs
Periyapalli Vasal Complex
Poonamallee
Chennai 600 056
5. The Inspect of Wakfs
Periyapalli Vasal Complex
Poonamallee
Chennai 600 056

6. Juma Masjid
Sriperumbudur
Kancheepuram District

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, 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 27.06.2018.

For Petitioner: Mr.S.Sadasharam
for Mr.S.Saravanakumar

For Respondents: Mr.S.N.Parthasarathy
Government Advocate for R1
Mr.V.Lakshminarayanan
Standing Counsel for R2 to 5

ORDER

This writ petition has been filed seeking a mandamus, directing the respondents 1 to 5 to correct the discrepancies and mistakes occurred in the voters list in respect of the sixth respondent mosque by name Juma Masjid, Sriperumbudur, Kancheepuram published in the year 2018, pursuant to the representation of the petitioner dated 27.06.2018.

2. Learned counsel for the petitioner submitted that the petitioner is one of the members in the sixth respondent Juma Masjid. Although the election notification was issued by the fifth respondent with the voters list of the year 2018 on 22.6.2018, since there are lot of discrepancies and mistakes in the voters list with regard to the jurisdiction of the voters by printing the incorrect names in the voters list, wrong door numbers of the voters and wrong names of the eligible voters, a representation has been given by the petitioner on 27.6.2018 to remove the discrepancies or mistakes in the voters list. It has not been looked into. Whereas the election officer is proceeding with a high speed to hold the election. Therefore, the action of the election officer is liable to be questioned by this Court by passing appropriate orders.

3. It is at this stage the learned standing counsel for the respondents 2 to 5 submitted that the present writ petition belatedly filed is liable to be dismissed, since an order has already been passed by this Court on 20.9.2017 in W.P.No.25087 of 2017 directing the Tamil Nadu Wakf Board to hold the

elections after the formation of the Board. Now, after the formation of the Board, the election notification has been issued and the mistakes as mentioned by the petitioner are also being taken care of and no discrepancy can be complained. Finally, the election is also going to be held on 8.7.2018.

4. In view of the fact that the election is going to be held on 8.7.2018 on the basis of the order already passed by this Court on 20.9.2017 in W.P.No.25087 of 2017, this writ petition is dismissed. If the petitioner is aggrieved, he has to work out his remedy in the manner known to law. Consequently, W.M.P.No.19949 of 2018 is also dismissed. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary to Government
Department of Backward Classes,
Most Backward Classes and Minorities Welfare
Fort St.George
Chennai 600 009
2. The Chairman/Chief Executive Officer
Tamil Nadu Wakf Board represented by
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4. The Election Officer/
Superintendent of Wakfs
Periyapalli Vasal Complex
Poonamallee
Chennai 600 056

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

+1cc to Mr.S.Saravana Kumar, Advocate, S.R.No.43861

W.P.No.16766 of 2018

GSP(16/07/2018)



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