

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 21.06.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.17310 of 2013
and MP.No.1 of 2013

G.Anwar Basha

..Petitioner

Vs

1. The Tamil Nadu Wakf Board
Rep. by its Chief Executive Officer,
No.1, Jaffer Serang Street,
Vallal Seetha Kadhi Nagar,
Chennai - 600 001.
 2. The Chief Executive Officer
The Tamil Nadu Wakf Board
No.1, Jaffer Serang Street,
Vallal Seetha Kadhi Nagar,
Chennai - 600 001.
 3. A.Mahmood
Election Officer/Superintendent of Wakfs
Nawab Sadathullah Khan Masjid Wakf
No.822, Anna Salai,
Mecca Masjid Complex,
Chennai - 600 002.
 4. M.S.Mohammed Mustafa
 5. H.Ghouse Basha
 6. S.J.Wahab Khan
 7. A.Akbar Ali
 8. P.K.Syed Farooq
 9. M.Nooruddin
 - 10.P.K.Owlia Mohiddeen
 - 11.S.M.Mohammed Hanif Baqvi
 - 12.Sheikh Mohaiddeen
 - 13.K.Imran Shariff
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- ..Respondents

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, to direct the 1st respondent to conduct election for Nawab Sadathullah Masjid Khan Wakf Chennai to constitute a Management Committee within the time stipulated by this Court by being uninfluenced by the election process initiated by the 3rd respondent without jurisdiction.

For Petitioner : Mr.M.N.S.Mohamed Habeeb Raja for R3
For Respondents : Mr.V.Lakshminarayanan for R2
: Mr.N.A.Nisser Ahmed for R3
: Mr.S.M.Hameed Mohideen
for R4 to R11 and R13

ORDER

Heard the learned Counsel for the petitioner and the learned Counsels appearing for the respondents and perused the materials available on record.

2. This writ petition has been filed seeking for issuance of a writ of Mandamus to direct the first respondent to conduct election for Nawab Sadathullah Masjid Khan Wakf, Chennai and to constitute a Management Committee within a time frame.

3. The learned Counsel for the respondents submitted that after filing this writ petition, the first respondent conducted election on 30.06.2013 and the elected members have also taken charge and their tenure is over. Since, there was no board, the earlier elected members continued and now the new board is constituted and the first respondent is ready to conduct an election for the wakf board.

4. The learned counsel for the first respondent submitted that the first respondent would conduct election only based on the representation of the petitioner. Hence, if the petitioner gives a representation, the first respondent is ready to conduct election for the wakf board.

5. Taking note of the facts and submissions of the learned Counsel for the first respondent, the petitioner is directed to give a representation to the first respondent within a period of two weeks from the date of receipt of a copy of this order. On such compliance, the first respondent shall conduct the election to the wakf board within a period of four months therefrom.

6. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

To

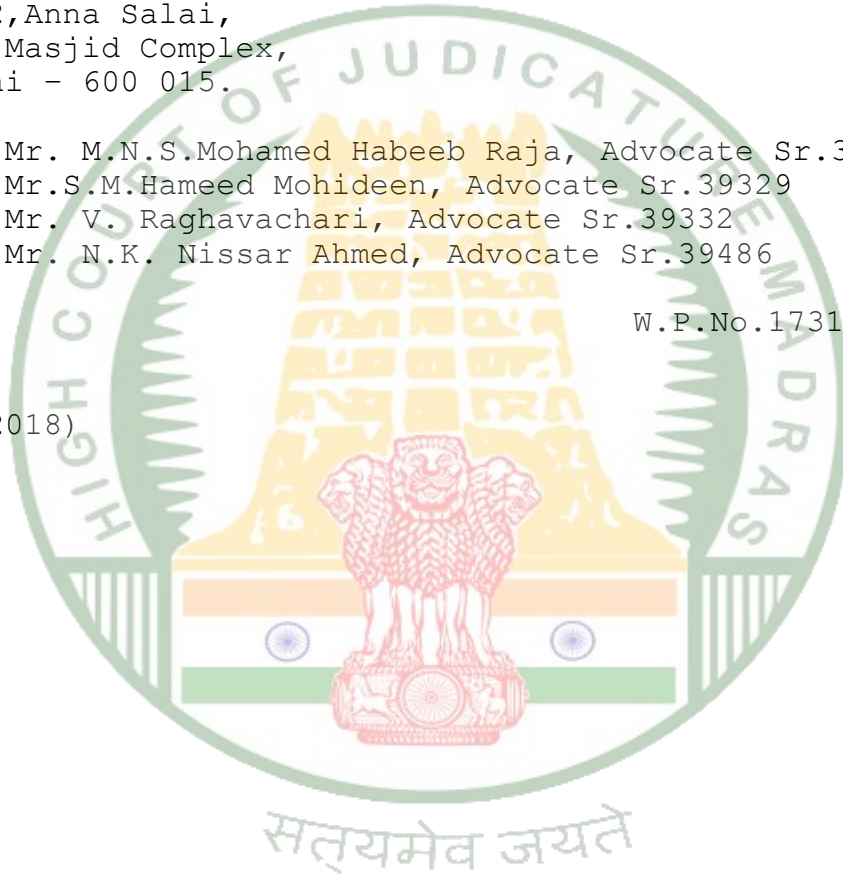
1. The Chief Executive Officer,
The Tamil Nadu Wakf Board
No.1, Jaffer Serang Street,
Vallal Seetha Kadhi Nagar,
Chennai - 600 001.

2. A.Mahmood
Election Officer/Superintendent of Wakfs
Nawab Sadathullah Khan Masjid Wakf
No.822,Anna Salai,
Mecca Masjid Complex,
Chennai - 600 015.

+ 1 cc to Mr. M.N.S.Mohamed Habeeb Raja, Advocate Sr.39364
+ 1 cc to Mr.S.M.Hameed Mohideen, Advocate Sr.39329
+ 1 cc to Mr. V. Raghavachari, Advocate Sr.39332
+ 1 cc to Mr. N.K. Nissar Ahmed, Advocate Sr.39486

W.P.No.17310 of 2013

SSV(CO)
EU(17/07/2018)



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