

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.12.2018

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.29982 of 2018
and W.M.P.No.34990 of 2018

A.Mohammed Saleem

.. Petitioner

Vs.

1. The Chief Secretary
Tamil Nadu Wakf Board,
No.1, Jafer Sirang Street,
Chennai 600 001.

2. The Superintendent of Wakf Board/
The Election Officer,
No.27, Diwan Nagar, Court Road,
Thanjavur 613 001.

3. The District Collector,
Thanjavur District,
Thanjavur

.. Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 and 2 to revise the final voters list dated 12.10.2018 by including the petitioner's name and other members who are residing in the Village in the final voter's list in accordance with the Voter's list of the Election Commission of India.

For Petitioner : Mr.R.Vivekananthan
For Respondents-1 & 2 : Mr.V.Lakshminarayanan
For Respondent-3 : Mr.N.Inbanathan
Additional Government Pleader

ORDER

The Writ Petition has been filed for a mandamus seeking a direction to the respondents to revise the voters list dated 12.10.2018 by including the petitioner's name and other names, who are residing in the Village in the final voters list.

2. It is stated by the learned counsel appearing for the Wakf Board that the Election itself was conducted on 18.11.2018 and it is over. Hence, the prayer in the Writ Petition is not available to the petitioner any longer.

3. However, the learned counsel appearing for the petitioner contended that the name of the petitioner has to be included in the list of Jamath as a member, without which, the performance of marriage or even the burial, is not permissible. Admittedly, the petitioner is living outside the country.

4. It is pointed out by the learned counsel appearing for Wakf Board that to include his name as a member of Jamath, an application has to be made only before the Wakf Board and not to the Election Officer.

5. Learned counsel appearing for the petitioner also agrees that he would make a fresh application to the Wakf Board within a period of two weeks from the date of receipt of a copy of this Order.

6. Accordingly, the Wakf Board is directed to consider the said application to be submitted by the petitioner and include the petitioner's name as a member of the Jamath in the final voter's list within a period of eight weeks from the date of receipt of the said application.

7. With the above direction, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

WEB COPY

04.12.2018

Index : Yes / No
Internet : Yes / No

Srn

PUSHPA SATHYANARAYANA.J

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To

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Tamil Nadu Wakf Board,
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