



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.12.2018

CORAM

WEB COPY

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.31000 of 2018
and W.M.P.Nos.36151 and 36156 of 2018

- 1.A.Kamaal Basha
- 2.Kaagi Mohammed
- 3.Abdul Raajik
- 4.Syed Abuthahir
- 5.Abdul Jaleel
- 6.Mohammed Sarif
- 7.A.Noorul Hussain
- 8.Shaji Mohammed
- 9.Abdul Wahab
- 10.Moitheen
- 11.Mohammed Bashith
- 12.M.Mohammed Sultan
- 13.Haja Moitheen
- 14.Kalavutheen
- 15.Abdul Mohammed
- 16.Sadhik Basha

.. Petitioners

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.

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For Petitioner : Mr.N.Fidelia
For Respondents-1 & 2 : Mr.V.Lakshminarayanan

For Respondent-3 : Mr.N.Inbanathan
Additional Government Pleader

O R D E R

The Writ Petition has been filed for a mandamus seeking a direction to the respondents 1 and 2 to revise the voters list dated 12.10.2018 by including the petitioners' names 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 petitioners any longer.

3. However, the learned counsel appearing for the petitioners contended that the names of the petitioners have to be included in the list of Jamath as members, without which, the performance of marriage or even the burial, is not possible.

4. It is pointed out by the learned counsel appearing for Wakf Board that to include the names of the petitioners' as members 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 petitioners also agrees that he would make a fresh application to the Wakf Board in that regard 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 petitioners and include the petitioners' names as members of the Jamath in the final voter's list, within a period of eight weeks from the date of receipt of the said application.



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

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

Srn

To

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.

+1 cc to Mr.V.Raghavachari, Advocate Sr.No.83286
+1 cc to The Government Pleader, Sr.No.83721

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CSL/27.12.2018