



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.03.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P. (MD) No.6671 of 2018

and

W.M.P. (MD) Nos.6452 and 6453 of 2018

AL.Majidul Noor Jumma Pallivasal,
Represented by its President/Muthavalli,
A.Mohammed Sulthan

... Petitioner

-Vs-

1. The Chief Executive Officer,
Tamil Nadu Wakf Board,
1, Jaffar Syrang Street,
Vallal Sidadkkathi Nagar, Chennai-600 001.

2. The Wakf Superintendent / Election Officer,
Tamil Nadu Wakf Board,
12, Claydar Street, Trichy-620 002.

3. The Wakf Inspector,
Tamil Nadu Wakf Board,
PDK, Wakf Inspector Office,
Trichy-620 002.

... Respondents

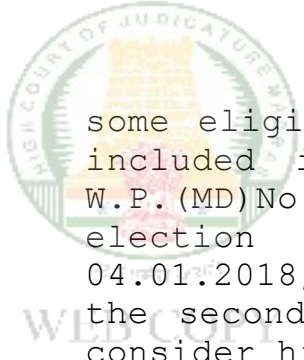
PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, calling for the records pertaining to the impugned notice made in Election Notice No.2 dated 21.03.2018 and quash the same.

For Petitioner : Mr.P.R.Prithiviraj for MR.D.Sadiq Raja
For Respondents : Mr.K.K.Senthi,
Standing Counsel.

ORDER

This writ petition has been filed challenging the election notification issued by the third respondent to conduct election to the petitioner AL Majidul Noor Jumma Pallivasal.

2. According to the petitioner, after a long period, an election to be conducted by the above said pallivasal sought to be conducted by the second respondent herein. While preparing electoral list,



some eligible members were omitted and non-eligible members were included in the list. Hence, he filed a writ petition in W.P.(MD)No.33 of 2018 before this Court, challenging the draft election notification, and this Court, by an order dated 04.01.2018, directed the petitioner to file his objections before the second respondent, and the second respondent is directed to consider his objections.

3.Now, the grievance of the petitioner is that without considering the petitioner's objections, final electoral list has been published, hence, the present writ petition has been filed.

4.Mr.K.K.Senthil, learned Standing Counsel appearing for the respondents submitted that draft notification is prepared by the second respondent as early as on 13.12.2017, and called for objections for omission and inclusion of members from 13.12.2017 to 12.01.2018, and also a prescribed form for omission of eligible members and inclusion of non-eligible members has also been annexed. But the petitioner without giving any particulars regarding the non-inclusion of members sent vague representation, as if some of the eligible members has been omitted and non-eligible members has been included, hence, the petitioner's representation could not be considered. Apart from that the second respondent did not receive any objections regarding the draft voters list. In the above circumstances, the final voters list has been published.

5.Considering the facts and circumstances of the case, without going into the merits of the case, the second respondent is directed to consider the petitioner's objections, and pass suitable orders on merits and in accordance with law, on or before 02.04.2018.

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

Sd/-

Assistant Registrar(AD-II)

/True copy/

Sub Assistant Registrar

+1. CC to Mr.D.Sadiq Raja Advocate SR.No.58264

+1. CC to Mr.K.K.Senthil Advocate SR.No.58355

W.P(MD)No.6671 of 2018
27.03.2018