

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.01.2019

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.718 of 2019

Dasthagir Sahib Jamia Masjid
Represented by its Secretary,
Having office at Door No.54
Mosque Garden, East Jones Road,
Saidapet, Chennai - 600 015.

.. Petitioner

Vs.

1. The Chairman,
Tamil Nadu Wakf Board,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

2. The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

3. The Superintendent of Wakf
Chennai District
Tamil Nadu Wakf Board
No.138, Dr.Besant Road,
Ice House, Triplicane,
Chennai - 600 005.

.. Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents herein to conduct the election to elect the office bearers for Dasthagir Sahib Jamai Masjid, situated at Jones Road, Saidapet, Chennai - 600 015, in a democratic manner by secret Ballot based on the election notification issued by the Tamil Nadu Wakf Board in which 31 streets have been listed in the "Voters List" by considering the petitioner's representation dated 10.12.2018 within the period as stipulated by this Court.

For Petitioner	: Mr.L.Gavaskar
For Respondents	: Mr.Md.Aseef

O R D E R

By consent of both parties, the Writ petition is taken up for final disposal at the admission stage itself.

2. The Writ Petition has been filed for a mandamus seeking a direction to the respondents to conduct the election to elect the office bearers for Dasthagir Sahib Jamai Masjid, situated at Jones Road, Saidapet, Chennai - 600 015, in a democratic manner by secret Ballot based on the election notification issued by the Tamil Nadu Wakf Board and the Voters List, by considering the petitioner's representation dated 10.12.2018.

3. According to the learned counsel for the petitioner, the petitioner has submitted a representation dated 10.12.2018 to the respondents requesting to conduct the election to elect the office bearers for Dasthagir Sahib Jamai Masjid, situated at Jones Road, Saidapet, Chennai - 600 015, in a democratic manner by secret Ballot based on the election notification issued by the Tamil Nadu Wakf Board and the Voters List, but, the same is yet to be disposed of by the respondents. Hence, the petitioner is before this Court.

4. Heard Mr.Md.Aseef, learned counsel on behalf of the respondents.

5. Considering the facts and circumstances of the case and the submissions made on either side, this Court, without expressing any opinion on the merits of the representation, directs the respondents to consider the petitioner's representation dated 10.12.2018 and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner and the persons interested in this regard and also affording them an opportunity of personal hearing, within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above directions, this writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

av/srn

To

1. The Chairman,
Tamil Nadu Wakf Board,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.
2. The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.
3. The Superintendent of Wakf
Chennai District
Tamil Nadu Wakf Board
No.138, Dr.Besant Road,
Ice House, Triplicane,
Chennai - 600 005.

+2cc to Mr.L.Gavaskar, Advocate, S.R.No. 3523

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SJ(CO)
GN(04/02/2019)



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