

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 19.07.2019

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P.No.13742 of 2016

and

W.M.P.Nos.12038 and 12039 of 2016

M.Sheik Dawood

... Petitioner

Vs

1.The Tamilnadu Wakf Board,
represented by its Secretary,
No.1,Jaffar Syrang Street,
VallalSeethakathi Street,
Chennai-600 001.

2.The Chief Executive Officer,
The Tamilnadu Wakf Board,
No.1, JaffarSyrang Street,
VallalSeethakathi Street,
Chennai-600 001.

3.The Superintendent of Wakf,
Chengalpat Taluk,
Kancheepuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for records relating to the order of the first respondent herein in resolution No.238/15 bearing No.16167/02/A4/Kanchi dated 30.12.2015 published in the Tamil Nadu Government Gazette No.8 dated 24.02.2016 and the consequential notice in Na.Ka.No.7/Kanchi/2016 dated 28.03.2016 of the third respondent herein in respect of Jumma Pallivasal Wakf, Guduvanchery and quash the same and consequently direct the first respondent herein to expeditiously conduct election for the managing committee of the Jumma Masjid Wakf, Guduvancherry by secret ballot for the next term of 3 years.

For Petitioners : Mr.ARL.Sundaresan
for Ms.AL.Ganthimathi

For Respondents : Mr.Mohammed Fayaz Ali

O R D E R

This writ petition has been filed for issuance of Writ of Certiorarified Mandamus to call for the records relating to the order of the first respondent in resolution No.238/15 bearing No.16167/02/A4/Kanchi dated 30.12.2015 published in the Tamil Nadu Government Gazette No.8 dated 24.02.2016 and the consequential notice in Na.Ka.No.7/Kanchi/2016 dated 28.03.2016

2.The erstwhile president of Jumma Pallivasal Wakf, Guduvancherry has aggrieved over the decision of the Wakf board, ordering direct management of the Wakf, has come up with this writ petition.

3.It seems that the term for the earlier committee ended on 07.05.2014 and due to difference of opinion between the Wakf Board and the elected committee, the impugned order came to be passed. In the resolution itself, the respondent Board has decided to conduct election by secret ballot within a period of three months.

4.The main grievance of the petitioner seems to be that the election is not conducted in a secret ballot.

5.The learned standing Counsel for the respondent would state that the election to the Jumma Pallivasal Wakf, Guduvancherry would be conducted within a period of three months by a secret ballot.

6.In the light of the above facts and submissions of the learned counsels, this Court directs the first respondent to conduct election to Jumma Pallivasal Wakf, Guduvancherry, by secret ballot within a period of three months from the date of receipt of a copy of this order.

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

pnn

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Secretary,
Tamilnadu Wakf Board,
No.1, Jaffar Syrang Street,
VallalSeethakathi Street,
Chennai-600 001.

2. The Chief Executive Officer,
The Tamilnadu Wakf Board,
No.1, Jaffar Syrang Street,
VallalSeethakathi Street,
Chennai-600 001.

3. The Superintendent of Wakf,
Chengalpat Taluk,
Kancheepuram Distric

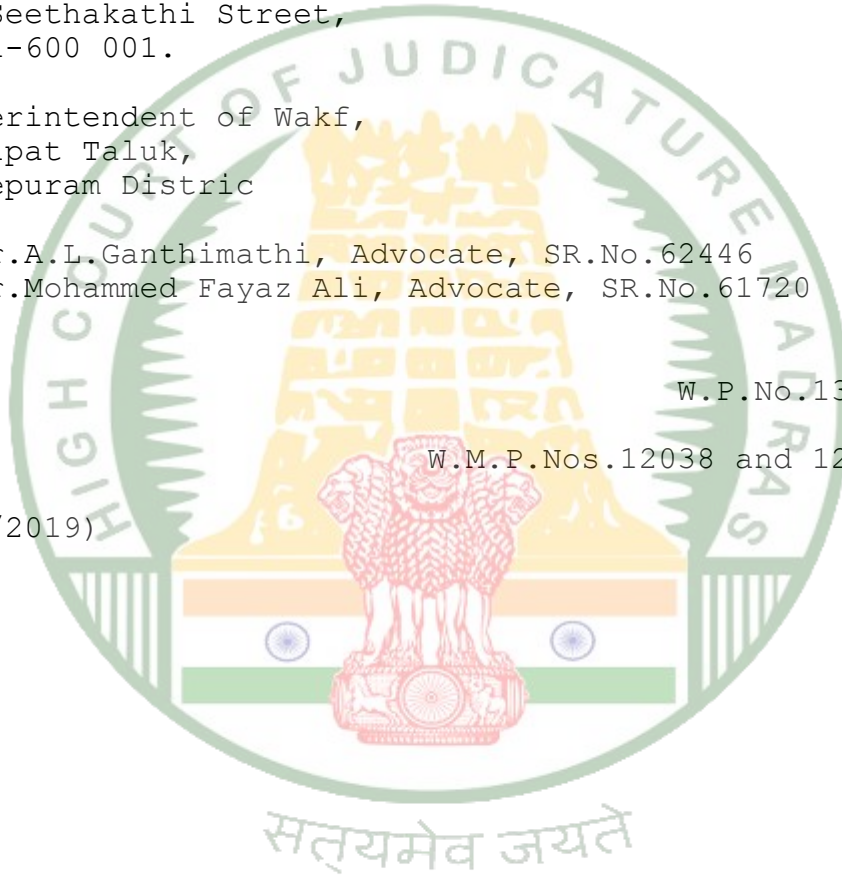
+1cc to Mr.A.L.Ganthimathi, Advocate, SR.No.62446

+1cc to Mr.Mohammed Fayaz Ali, Advocate, SR.No.61720

W.P.No.13742 of 2016
and

W.M.P.Nos.12038 and 12039 of 2016

Kak (20/09/2019)



WEB COPY