



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

Cont.P.(MD).No.1571 of 2019

in

W.P.(MD).No.18656 of 2019

A.Sharafath Ali ... Petitioner/Petitioner

vs.

1.S.Abdullah
S/o.Sulthan,
The Superintendent,
Tamil Nadu Wakf Board,
No.12, Kilethar Street,
Trichy-2. ... Contemnor/1st Respondent

2.A.Ayubkhan ... Proposed respondent No.2/
4th respondent in W.P

(2nd respondent is impleaded as per the order of this Court,
dated 01.11.2019 made in Sub.Appln(MD).No.270/2019)

PRAYER: Contempt Petition filed under Sections 11 of the Contempt of Courts Act, 1971, to punish the contemnor/respondent for wilful disobedience of the order passed by this Court in W.P.(MD).No.18656 of 2019, dated 23.09.2019.

Prayer in WP(MD). 18656 of 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Calling for the records relating to the impugned order in G.O(D) No.51 dated 16.08.2019 issued by the 1st respondent and quash the finding in so far as Par a No.6 alone.

For Petitioner	:	Mr.B.Prasanna Vinoth
For Respondent	:	Mr.S.A.Ajmal Khan
No.1		Standing Counsel for Wakf

Mr.N.Anandkumar
for newly impleaded party/
2nd respondent

Mr.M.Bindran, Observer

**ORDER**

This contempt petition has been filed by the petitioner to punish the respondents for the wilful disobedience of the order passed by this Court in W.P.(MD).No.18656 of 2019, dated 23.09.2019.

2.This Court, in its order dated 23.09.2019, directed the Election Officer to conduct free and fair elections without getting any advice from the present Committee. Despite the same, it is the allegations made by the petitioner that the Election Officer states that he will take instructions from the President of the Committee.

3. In order to allay the fears of the petitioner, this Court appoints "Mr.M.Bindran, Advocate, Enroll No.1844/2009, Cell No.9994852224, having Office at 785, Karpaga Nagar, 3rd Street, K.Pudur" as an Observer.

4.It is represented that in the first respondent Wakf, election is scheduled to be held on 03.11.2019.

i)On the date of election, the Observer shall ensure that free and fair elections are conducted.

ii)The Election Officer shall consider the objections with regard to non-members casting vote in the election and permit those voters only after verification.

iii)The Election Officer shall also consider inclusion of married male members of the Muhallah, who are not included in the final Voters List, with the consent of both the factions, contesting in the election.

iv)The Election Officer will consult the Observer before taking a decision.

v)A sum of Rs.30,000/- (Rupees thirty thousand only) is fixed as remuneration to the Observer. The said amount shall be paid to the Observer on or before 02.11.2019 at 10.30 a.m.

5.With the above observations, this contempt petition is closed.

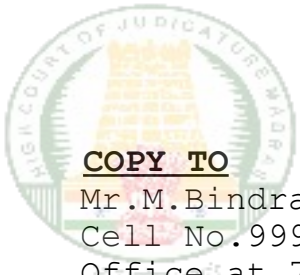
Sd/-

Assistant Registrar(CS-II)

// True Copy //

Sub Assistant Registrar(CS)

vs

**COPY TO**

Mr.M.Bindran, Advocate, Enroll No.1844/2009,
Cell No.9994852224,
Office at 785, Karpaga Nagar, 3rd Street, K.Pudur

+1CC TO MR.N.ANANDA KUMAR, Advocate Sr. No.95583
+1CC TO MR.S.A.AJMAL KHAN, Advocate Sr. No.95674
+1CC TO MR.B.PRASANNA VINOTH, Advocate Sr. No. 95562

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01.11.2019

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