

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.08.2020

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.11664 of 2020 &
WMP.Nos.14308 & 14309 of 2020

Sheik Mohammed Tajuddin Bhasha
S/o.S.M.Yakub, No.2-5-26
Vamthna Street
Yanam,
Pondicherry -533 464. Petitioner

vs

1. The Commissioner-cum-Secretary (Waqf) cum
Election Authority
Office of the Commission-cum-Secretary (Waqf) cum
Election Authority, Chief Secretariat
Government of Puducherry
Puducherry.
2. Under Secretary (Waqf) cum
Deputy Election Authority
Department of Hindu Religious Institutions and Waqf
Government of Puducherry. Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Certiorari, calling for the records pertaining to the impugned election notification dated 14.08.2020 vide No.16/PSWB/CEO/2016/20(1) issued by the first respondent for conducting election under the Advocate category to the Puducherry State Waqf Board and quash the same as illegal, unconstitutional, non-est in the eyes of law.

For Petitioner : Mr.R.Sreedhar

O R D E R

This matter is taken up for hearing through Video Conferencing mode.

2. This writ petition is filed challenging the election notification dated 14.08.2020 proposing to conduct the election for the member of the Puducherry State Waqf Board on 29.08.2020 i.e. Tomorrow.

3. It is stated that there are 26 members going to be participated in the election. According to the petitioner, he is residing in Yanam and to travel 600 kms to reach the polling station and therefore, during this pandemic situation,

he is not in a position to travel such a long distance and consequently, election has to be postponed.

4. I do not think that once the election process is commenced, this Court cannot interfere with the same, merely on the reason that the petitioner is having inconvenience in participating in the election. Needless to say that it is for the petitioner to look out the ways and means to get pass to travel to the election spot and participate in the election, if at all he is interested in participating. Without doing so, filing the present writ petition challenging the election notification, in my considered view, is not a proper course of action. Therefore, I find no reason to interfere with the election notification. Accordingly, this Writ Petition is dismissed. No costs. Consequently, Connected MPs are Closed.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

mk/vri

To

1. The Commissioner-cum-Secretary (Waqf) cum
Election Authority
Office of the Commission-cum-Secretary (Waqf) cum
Election Authority
Chief Secretariat
Government of Puducherry
Puducherry.
2. Under Secretary (Waqf) cum
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Government of Puducherry.

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SV(CO)
GN(29/10/2020)