

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2020

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.29698 of 2019

and

WMP No.29754 of 2019

1.E.M.Mohamed Nasar Ali

2.A.Mohamed Yacin

3.E.Farook Ali

4.S.A.K.Faqrudin Ali Ahamed

...Petitioners

Vs.

1.The State of Tamilnadu,
Rep. by its Secretary to Government,
Backward, Most Backward & Minority Welfare Department,
Fort St.George, Chennai 600 009.

2.The Tamil Nadu Wakf Board,
Rep. by the Chief Executive Officer,
No.1, Jaffer Syrang Street,
VallalSeethakathi Nagar, Chennai 600 001.

3.The Superintendent of Wakf (Cuddalore),
Noor Mohamed Shah Owliadharga Complex,
Gandhi Road, Panruti,
Cuddalore District.

4.The Executive Officer/Supt. of Wakf,
Cuddalore,
(for Jumma Pallivasal @ O.T.Pallivasal Cuddalore),
Noor Mohamed Shah Owliadharga Complex,
Gandhi Road,
Panruti,
Cuddalore District.

...Respondents

Prayer:Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of mandamus to direct the respondents 2 to 4 to implement the order passed by the second respondent in Serial No.26, Item No.152/15 in Na.Ka.No.10755/15/Aa4/Cuddalore dated 18.08.2015 in the matter of conduct of election to the Jumma Masjid @ O.T.Pallivasal, Harbour, Cuddalore.

For Petitioner : Mr.S.F.Mohamed Yousuf
For Respondents : Mr.R.Govindasamy for R1
Special Government Pleader
Mr.LSM.Hasan Faizal for R2 to R4

O R D E R

This writ petition is filed seeking for a mandamus to direct the respondents 2 to 4 to implement the order passed by the second respondent dated 18.08.2015 in the matter of conduct of election to the Jumma Masjid @ O.T.Pallivasal, Harbour, Cuddalore.

2.It is seen that through proceedings dated 10.09.2015, the second respondent directed for conducting the election to the subject matter wakf. The grievance of the petitioner is that till this date, the election is not conducted. Therefore, the present writ petition is filed.

3.Learned counsel appearing for the respondents 2 to 4 submitted that the Special Officer of the Tamilnadu Wakf Board through proceedings dated 12.02.2020, ordered that the election to the subject matter wakf has to be conducted within a period of two months in accordance with the areas delineated in the scheme decree and voters list of 2008. Learned counsel, thus submitted that in view of the order passed by the Special Officer as stated supra, the election to the subject matter wakf will be conducted within the stipulated time.

4. Recording the above said stand of the first respondent, this writ petition is disposed of, by directing the concerned Authority to conduct election to the subject matter wakf within a period of three months from the date of receipt of a copy of this order. No costs. The miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vri

To

- 1.The Secretary to Government,
Backward, Most Backward & Minority Welfare Department,
Fort St.George,
Chennai 600 009.
 - 2.The Chief Executive Officer
Tamil Nadu Wakf Board,
No.1, Jaffer Syrang Street,
VallalSeethakathi Nagar,
Chennai 600 001.
 - 3.The Superintendent of Wakf (Cuddalore),
Noor Mohamed Shah OwliaDharga Complex,
Gandhi Road,
Panruti,
Cuddalore District.
 - 4.The Executive Officer/Supt. of Wakf,
Cuddalore,
(for Jumma Pallivasal @ O.T.Pallivasal Harbour Cuddalore),
Noor Mohamed Shah OwliaDharga Complex,
Gandhi Road,
Panruti,
Cuddalore District.
- +1 cc to the Government Pleader, S.R.No.19761

W.P.No.29698 of 2019

SS(CO)
RN(26/05/2020)

सत्यमेव जयते

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