



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:26.02.2020

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P(MD)No.3806 of 2020

and

W.M.P(MD)Nos.3225 to 3227 of 2020

M.A.S.E.Nasar

... Petitioner

Vs.

1.The Superintendent of Wakf,
Office of the Superintendent of Wakf,
Madurai and Ramnad District (I/C),
No.159/3, Therpasayanam Road,
Vellipattinam,
Ramanathapuram - 623 504.

2.Mr.A.Chandra Kumar,
Election Officer / Advocate Commissioner,
Pudur Periya Pallivasal,
Ilayangudi,
Sivagangai District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records pertaining to the impugned order passed by the second respondent vide his proceedings Ref:Nil dated 15.02.2020.

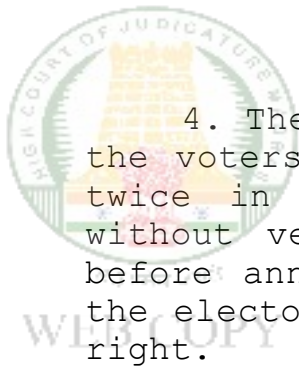
For Petitioner : Mr.D.Senthil
For R-1 : Mr.S.A.Ajmalkhan

ORDER

Mr.S.A.Ajmalkhan, learned standing counsel takes notice for the first respondent.

2. This Writ petition has been filed by the petitioner challenging the impugned order, which is the proceedings issued by the second respondent, a Court Appointed Election Officer, to conduct election in the first respondent Wakf.

3. According to the petitioner, the election notification was issued on 15.02.2020, which gives out the date for filing nomination, scrutiny of the list of candidates, withdrawal and then final list of candidates will be published on 21.02.2020. The date of election is on 01.03.2020.



4. The grievance of the petitioner is that about 24 entries in the voters list are double entries, in the sense they find place twice in the voters list, which the Commission has published without verification. It is also stated that the Commissioner before announcing the date of election, ought to have published the electoral roll to enable this kind of discrepancies to be set right.

5. However, the grievance of the petitioner is not with regard to inclusion of any name or even deletion of any name, but, it is only with regard to deletion of entries, which find place twice in the voters list. Therefore, nobody can have any grievance, as the said deletion would not disentitle anyone from exercising their voting rights. However, as the date of election is on the 1st of March, 2020, the second respondent is directed to consider the representation of the petitioner dated 21.02.2020 sent in this regard and publish the voters list after deleting the double entries from it. Such exercise has to be completed by the second respondent/Election Officer at least on or before 28.02.2020.

With the above direction, the Writ Petition is disposed of. No Costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To:

1.The Superintendent of Wakf,
Office of the Superintendent of Wakf,
Madurai and Ramnad District (I/C),
No.159/3, Therpasayanam Road,
Vellipattinam, Ramanathapuram - 623 504.

2.The Election Officer / Advocate Commissioner,
Pudur Periya Pallivasal, Ilayangudi, Sivagangai District.

+1 CC to M/s.D.SENTHIL, Advocate (SR-8531[F] dated 26/02/2020)

W.P(MD)No.3806 of 2020

26.02.2020

KG(CO)

TR(27.02.2020) 2P 4C