



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.12.2020

CORAM

THE HON'BLE MR.JUSTICE **S.VAIDYANATHAN**

W.P. (MD)No.18692 of 2020

and

W.M.P. (MD)Nos.15630, 15633 and 15634 of 2020

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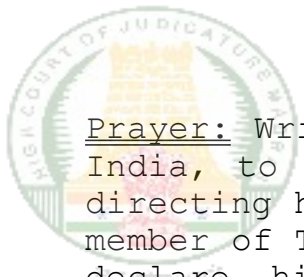
S.Sheikh Dawood

... Petitioner

Vs.

- 1.The State of Tamil Nadu
Represented by its
Secretary to the Government,
Backward Class, Most Backward Class and
Minority Welfare Department,
Secretariat,
Chennai - 600 009.
- 2.The Special Officer,
Tamil Nadu Wakf Board,
1, Jaffer Sirang Street,
Vallal Seethakadi Nagar,
Chennai - 600 001.
- 3.The Tamil Nadu Wakf Board,
Through its The Chairman,
1, Jaffer Sirang Street,
Vallal Seethakadi Nagar,
Chennai - 600 001.
- 4.The Chief Executive Officer,
Tamil Nadu Wakf Board,
1, Jaffer Sirang Street,
Vallal Seethakadi Nagar,
Chennai - 600 001.
- 5.The Returning Officer,
Tamil Nadu Wakf Board,
1, Jaffer Sirang Street,
Vallal Seethakadi Nagar,
Chennai - 600 001.
- 6.A.Abdul Rahman,
Son of Abu Baker Ambalam
Elected Member (Mutawalli Category)
Tamil Nadu Wakf Board,
10, Savari Muthu Lane,
Pudupet, Chennai - 600 002.

... Respondents



Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Quo-Warranto against the 6th respondent directing him to explain under what authority he holds office as the member of Tamil Nadu Waqf Board, under the category of mutawalli and declare his election as certified by the fifth respondent on 10.09.2020 and as notified in the G.O.(2D) No.19, of the first respondent dated 12.09.2020, is null and void and declare further that the sixth respondent is ineligible to continue in office and quash the declaration issued by the fifth respondent dated 10.09.2020 and also quash the notification in G.O.(2D) No.19, of the first respondent dated 12.09.2020 insofar as the sixth respondent is concerned.

For Petitioner : Mr.H.Lakshmi Shankar
For Respondent 1 : Mr.K.P.Krishnadoss, Special government pleader
For Respondent 4 : Mr.S.A.Ajmal Khan

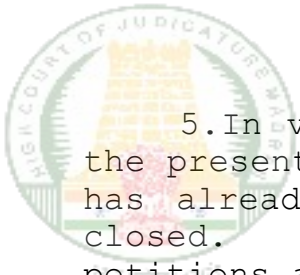
ORDER

The petitioner has come forward with this Writ Petition seeking issuance of Writ of Quo-Warranto against the 6th respondent directing him to explain under what authority he holds office as the member of Tamil Nadu Waqf Board, under the category of mutawalli and declare his election as certified by the fifth respondent on 10.09.2020 and as notified in the G.O.(2D) No.19, of the first respondent dated 12.09.2020, is null and void and declare further that the sixth respondent is ineligible to continue in office and quash the declaration issued by the fifth respondent dated 10.09.2020 and also quash the notification in G.O.(2D) No.19, of the first respondent dated 12.09.2020 insofar as the sixth respondent is concerned.

2.Heard the learned Counsel appearing for the petitioner and Mr.S.A.Ajmal Khan, learned Counsel appearing for the fourth respondent.

3.The learned Counsel appearing for the petitioner, by producing a copy of the judgment of the Hon'ble Supreme in Civil Appeal Nos.3603 to 3605 of 2020, dated 03.11.2020, submitted that the relief sought for in this Writ Petition has already been granted by the Hon'ble Supreme Court and the Writ Petition may be closed.

4.The relevant portion of the judgment is extracted as under:
"28.In result, the fresh election of two members in category under Section 14(1)(b)(iv) held in the year 2020 shall become non est and Syed Ali Akbar and Dr.Haja K. Majeed shall continue to occupy their office will their normal tenure of five years from 10.10.2017"



5.In view of the above, no further adjudication is required in the present Writ Petition as the relief sought for by the petitioner has already been granted. Accordingly, the Writ Petition stands closed. No costs. Consequently, the connected miscellaneous petitions are closed.

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Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

SRM

To

1.The Secretary to the Government,State of Tami Nadu,
Backward Class, Most Backward Class and
Minority Welfare Department,
Secretariat,
Chennai - 600 009.

+1CC to M/s.SPL GP,SR.No.26028,dated 17/12/2020

+1CC to M/s.H.Lakshmi Sankar, Advocate ,SR.No.25662 dated 16/12/2020

+1CC to M/s.S.A.Ajmal Khan, Advocate, SR.No.25826 dated
16/12/2020

W.P. (MD)No.18692 of 2020

14.12.2020

DKS (CO)

KB(05.01.2021) 3P 5C