



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.12.2021

CORAM

THE HON'BLE MR. JUSTICE M.SUNDAR

W.P(MD) No.22529 of 2021

R.Abbas

... Petitioner

Vs.

1.The Tamil Nadu Waqf Board,
Represented by its
Chief Secretary,
No.1, Jaffar Syrang Street,
Vallal Seethakadhi Nagar,
Chennai - 600 001.

2.The Superintendent of Waqfs,
Central Circle,
Tamil Nadu Wakf Board,
No.12, Kiledar Street,
Trichy.

3. The Inspector,
O/o.Pudukottai District Waqfs,
Tamil Nadu Waqf Board,
No.8/124, 2nd Floor, Quaid-d-Millath Road,
Palakarai, Trichy - 8.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Mandamus, directing the second respondent to conduct the election for Aandavar Pallivasal Jamath situated at Pon.Pudupatti, Ponnamaravathy Taluk, Pudukkottai District by considering the petitioner's representation dated 30.09.2021 within the stipulated time limit as fixed by this Court.

For Petitioner : Mr.A.Prasanna Rajadurai

For Respondents : Mr.D.S.Haroon Rasheed,
Standing Counsel.

O R D E R

This order will dispose of captioned main writ petition.

2. Read this in conjunction with and in continuation of earlier proceedings made in the previous listing on 20.12.2021, which reads as follows:

'Learned counsel for writ petitioner submits that subject matter of captioned writ petition pertains to a



public waqf which goes by the name Aandavar Pallivasal Jamath situate at Pon. Pudupatti, Ponnamaravathy Taluk, Pudukkottai District, (hereinafter 'said Waqf' for the sake of convenience and clarity).

2. Learned counsel submits that the tenure of the body elected for administration qua said Waqf has since elapsed but they are continuing in office.

3. Learned counsel also adds that writ petitioner has sent a representation dated 30.09.2021 to the three respondents and there is inaction on the part of the three respondents.

4. To be noted, only postal receipts qua aforementioned representation have been placed before me. In other words, the postal acknowledgment cards or consignment track report are not before us.

5. Notwithstanding the slightly expansive prayer, learned counsel for the writ petitioner Mr. A. Prasanna Rajadurai, submits that it will suffice if there is a simple directive for disposal of aforementioned representation dated 30.09.2021.

6. Be that as it may, learned counsel for writ petitioner is permitted to serve Mr. D.S. Haroon Rasheed, learned Standing Counsel for Tamil Nadu Waqf Board.

7. Registry to show the name of aforementioned learned Standing counsel for Tamil Nadu Waqf Board in and from the next listing.

8. List this matter in the Admission Board on 23.12.2021. '

3. The above proceedings shall be read as an integral part and parcel of this order. The short forms and short references used in the earlier proceeding shall continue to be used in the instant order also.

4. A perusal of paragraph 5 of the previous proceeding will bring to light that the writ petitioner has abridged his prayer to a simple directive qua disposal of his representation dated 30.09.2021 but even that may not be necessary as Mr.D.S.Haroon Rasheed, learned Standing Counsel for Tamil Nadu Waqf Board, who accepted notice on behalf of all the three respondents and who has been served submits on instructions that the second respondent would now conduct elections for the said Waqf within four months from today i.e., on or before 24.04.2022. Learned counsel for writ petitioner submits that this gives a quietus to the very prayer of the writ petitioner qua representation too. Learned Standing Counsel for Tamil Nadu Wakf Board also submits that the tenure of the previous Committee for administration qua said Wakf has elapsed on 23.04.2021.



5. Recording the stated position of both sides, captioned writ petition is disposed of as closed. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsm

To

1.The Chief Secretary,
Tamil Nadu Waqf Board,
No.1, Jaffar Syrang Street,
Vallal Seethakadhi Nagar,
Chennai - 600 001.

2.The Superintendent of Waqfs,
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3. The Inspector,
O/o.Pudukottai District Waqfs,
Tamil Nadu Waqf Board,
No.8/124, 2nd Floor, Quaid-d-Millath Road,
Palakarai, Trichy - 8.

+1 CC to M/s.NA.PALANIYANDI, Advocate(SR-40273[F] dated 23/12/2021)

W.P(MD)No.22529 of 2021
23.12.2021

MGJ(30.12.2021) 3P 5C