



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.12.2021

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THE HON'BLE MR. JUSTICE M.SUNDAR

W.P(MD) No. 2725 of 2017

and

WMP(MD) No.2255 of 2017

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... Petitioner

Vs.

1. The Chief Executive Officer,
Tamilnadu Wakf Board,
Vallal Seethakathi Nagar,
Chennai.
2. The Superintendent of Wakf Board,
No.1, Town Hall Road,
Pallivasal Complex 2nd Floor,
Madurai.
3. The Inspector of Wakf Board,
Dindigul District.
4. The Managing Authority,
Sunnathval Jamath Pallivasal,
Kanni Beevi Dharka and Mamana Radha Dharka,
Palasamudram,
Palani, Dindigul.

5. Mr. Hakkim Raja

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Mandamus, directing the respondents 1 to 3 to remove the respondent 5 from the Adhoc Committee in Sunnathval Jamath Pallivasal, Kanni Beevi Dharka and Mamana Radha Dharka, Palasamudram, Palani.

For Petitioner	: Mr. Nihar Ali
	for Mr. S.M.A. Jinnah
For Respondents	: Mr. S.A. Ajmal Khan
	Standing counsel for R1 to R3
	M/s. K. Hemakarthiskeyan
	for R4 and R5

**ORDER**

This common order will govern the captioned main writ petition and captioned WMP thereat. A public Wakf, which goes by the name 'Sunnathval Jamath Pallivasal, Kanni Beevi Dharka and Mamana Radha Dharka' [hereinafter 'said Wakf' for the sake of convenience and clarity] is the nucleus of the captioned writ petition and removal of committee of administration qua said Wakf is the central theme of the captioned writ petition.

2. Captioned writ petition was filed in 2017, to be precise on 15.02.2017 and the prayer is to remove the fifth respondent from the management of said Wakf.

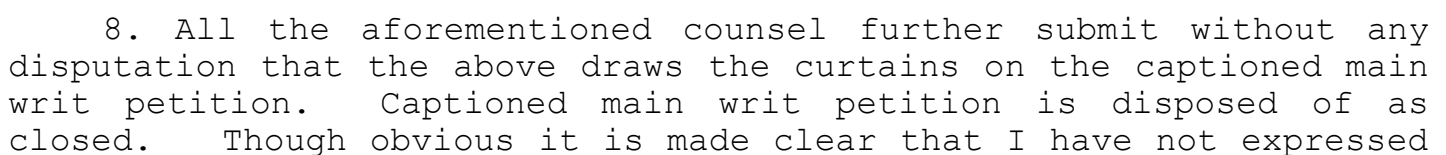
3. The case of the writ petitioner is that he is a member of the Jamath with voting rights qua said Wakf but it is not necessary to delve into these aspects of the matter and it is not necessary to dilate further on these aspects of the case on hand as the trajectory the captioned writ petition has taken and the central theme in the captioned writ petition make it unnecessary.

4. This court is informed without any disputation or disagreement that pending writ petition, Tamil Nadu Wakf Board held elections for the committee of administration qua said Wakf on 21.07.2019 and 9 individuals were elected.

5. Mr. Nihar Ali, learned counsel representing the counsel on record for the writ petitioner, Mr. S.A. Ajmal Khan, learned Standing Counsel for Tamil Nadu Wakf Board on behalf of respondents 1 to 3 and Mr. Hemakarthikeyan, learned counsel on record for respondents 4 and 5 are before me.

6. All the aforementioned counsel submit in one voice that there is no disputation or disagreement about elections having been held on 21.07.2019 qua said wakf. All the counsel also submit that of the nine individuals elected to the committee of administration 5th respondent did not get elected but the writ petitioner got elected. This court is also informed that the tenure of the elected committee of administration is three years i.e, from 21.07.2019 to 20.07.2022 and the committee is now in office.

7. Learned Standing counsel for Tamil Nadu Wakf Board has placed before me proceedings regarding the elected 9 Member Committee of administration being put in place and a scanned reproduction of the same is as follows:





any view or opinion on the merits of the matter. Consequently, captioned MP is also disposed of as closed. There shall be no order as to costs.

Sd/-

Assistant Registrar (AD-I)

WEB COPY

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1. The Chief Executive Officer,
Tamilnadu Wakf Board,
Vallal Seethakathi Nagar,
Chennai.
2. The Superintendent of Wakf Board,
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