



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.02.2022

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P.No.141 of 2022

Thajul Hussain

.. Petitioner

Vs.

Tamil Nadu Wakf Board,
Rep by Chief Executive Officer,
No.1 Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

.. Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondent herein to forthwith conduct elections to the Mohiadeen Andavarkal Pallivasal @ Muhyidhdheen Andavarkal Pallivasal Oor Uravinmurai Jamath, Kodikkalpalayam, Tiruvarur as sought vide representations dated 01.11.2021 and lastly on 21.12.2021.

For Petitioner : Mr.N.A.Nassir Hussain
for Mr.Mohamed Rafi

For Respondent : Mr.S.Haja Mohideen Gisthi
Standing Counsel (Wakf Board)

O R D E R

This Writ Petition is filed for issuance of Writ of Mandamus, directing the respondent herein to forthwith conduct elections to the Mohiadeen Andavarkal Pallivasal @ Muhyidhdheen Andavarkal Pallivasal Oor Uravinmurai Jamath, Kodikkalpalayam, Tiruvarur as sought vide representations dated 01.11.2021 and lastly on 21.12.2021.

2.According to the petitioner, the Mohiadeen Andavarkal Pallivasal @ Muhyidhdheen Andavarkal Pallivasal Oor Uravinmurai Jamath, Kodikkalpalayam, Tiruvarur is a notified wakf in Tiruvarur under the supervisory control of the Tamil Nadu Wakf Board. The tenure of the present committee expired on 22.10.2021. The Superintendent of Wakf, by the proceedings dated



06.10.2021 and 26.10.2021 informed that elections would be conducted by the respondent. Unless the respondent conduct election in the manner known to law and a managing committee is constituted, the Wakf and the Jamath would be greatly prejudiced. Hence, the petitioner has given representations dated 01.11.2021 and 21.12.2021 to the respondent. Since no order is passed on the said representations, the petitioner has come out with the present Writ Petition.

3.Mr.S.Haja Mohideen Gisthi, learned Standing Counsel (Wakf Board) appearing for the respondent submitted that the respondent appointed the Superintendent of Wakf, Thanjavur as Election Officer by the proceedings dated 26.12.2021 bearing Na.Ka.No.12443/01/A1, Tiruvarur. Due to COVID pandemic situation, the election could not be conducted in time and Election Officer will conduct the election for Mohiadeen Andavarkal Pallivasal @ Muhyidhdheen Andavarkal Pallivasal Oor Uravinmurai Jamath, Kodikkalpalayam, Tiruvarur within a period of five months from the date of receipt of a copy of this order.

4.Heard the learned counsel appearing for the petitioner as well as the learned Standing Counsel (Wakf Board) appearing for the respondent and perused the entire materials on record.

5.Considering the above submissions, the respondent is directed to conduct the election as expeditiously as possible, in any event, within a period of five months from the date of receipt of a copy of this order.

6.With the above directions, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

krk
To

The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1 Jaffer Syrang Street,Vallal Seethakathi Nagar,
Chennai - 600 001.

+1 cc to Mr.N.A.Nissar, Advocate Sr.NO. 13872

W.P.No.141 of 2022

SR(CO)
A.SK(17/03/2022)