



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2022

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P.No.4578 of 2022

Vada Kovai Ahlay Sunnath Jama-ath Pallivasal & Kabarasthan,
rep. by its Secretary, M.I.Mohammed Ali,
No.238, Mettupalaym Road,
Coimbatore - 641 043.

...Petitioner

Vs.

1. The Chairman,
Tamil Nadu Waqf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.
2. Chief Executive Officer,
Tamilnadu Wakf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.
3. The Superintendents of Waqfs,
14-15, Mosque Buildings,
Avinashi Salai,
Coimbatore - 641 018.

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the 1st & 2nd Respondents to consider & dispose petitioner's representation dated 17.01.2022 & 20.02.2020 in TN Wakf Board Meeting which is schedule on 1st & 2nd March 2022 and direct the 1st and 2nd respondents to take Direct Management as per Section 65 of TN Wakf Act until constitute/appoint elected committee in VadaKovai Ahlay Sunnath Jama-ath Pallivasal & Kabarasthan, Mettupalayam, Coimbatore.

For Petitioner :Mr.Manikandan

For Respondents :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 respondents 1 & 2 to consider & dispose petitioner's representations dated 20.02.2020 & 17.01.2022 in TN Wakf Board Meeting which is scheduled to held on 1st & 2nd March, 2022 and consequently direct the respondents 1 & 2 to take Direct Management as per Section 65 of TN Wakf Act, until constitute/appoint elected committee in VadaKovai Ahlay Sunnath Jama-ath Pallivasal & Kabarasthan, Mettupalayam, Coimbatore.

2. According to the petitioner, the Vada Kovai Ahlay Sunnath Jama-ath Pallivasal & Kabarasthan is a registered Wakf with the 1st respondent and the said Mosque is managed by a committee of 20 members. According to the petitioner, after 2005 there was no election to elect the committee members. In view of the same, some third parties are interfering with the management of Wakf. The petitioner has given representations dated 20.02.2020 & 17.01.2022 requesting the 1st respondent to conduct the election to elect the committee members and till that time, bring the Mosque under direct management of respondents 1 & 2. Since no order is passed on the said representations, the petitioner has come out with the present Writ Petition.

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

4. From the above contention of the petitioner, it is seen that no election was conducted for a long period of time and the persons elected in the year 2005 are continuing as committee members and some third parties are interfering with the management of Mosque. In view of the same, the respondents 1 & 2 are directed to consider the representations of the petitioner dated 20.02.2020 & 17.01.2022 and pass orders on merits and in accordance with law after giving opportunity to the petitioner and others, if any, within a period of eight weeks from the date of receipt of a copy of this order.

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

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar



To

- 1.The Chairman,
Tamil Nadu Waqf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.
- 2.Chief Executive Officer,
Tamilnadu Wakf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.
- 3.The Superintendents of Waqfs,
14-15, Mosque Buildings,
Avinashi Salai,
Coimbatore - 641 018.

W.P.No.4578 of 2022

SR(CO)
SP(17/03/2022)