



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2022

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.14359 of 2022

K.Dowlath Khan

... Petitioner

Vs

The Tamil Nadu Waqf Board,
Represented by its Chairman,
No.1, Jaffer Syrang Street,
Mannady, Chennai - 600 001.

... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to consider the representation dated 29.11.2021 within a stipulated time and thereby extend the tenure of the present committee.

For Petitioner : Ms.A.Ajimath Begam

For Respondent : Mr.Fiyaz Ali
standing counsel

ORDER

Mr.Fiyaz Ali, learned standing counsel takes notice on behalf of the respondent.

2. The petitioner was appointed as a Member of the Adhoc Committee by the respondent Waqf Board by an order dated 08.12.2020 for a period of one year. As per the terms and conditions of the appointment, the Adhoc Committee was to administer the affairs of Waqf for a period of one year and therefore the period came to an end on 07.12.2021. However, before the expiry of the aforesaid period, the petitioner who was appointed as a President of the Adhoc Committee, has given a representation to the respondent Waqf Board for extending the period on the ground that several works have been taken up by the petitioner as its President and therefore the respondent may permit him to continue as a Member of the Committee for a further period of three years.

3. Opposing the prayer, the learned standing counsel for the respondent would submit that the writ petition is not



maintainable as the petitioner cannot be permitted to occupy the seat as a President perennially or as a Member of the Adhoc Committee for a period more than one year.

4. After considering the learned counsel for the petitioner and the learned standing counsel for the respondent, this Writ Petition is disposed by directing the respondent to consider the representation dated 29.11.2021 of the petitioner and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order.

5. Needless to state, the petitioner cannot be allowed to sit permanently as a President or a Member of the Committee based on the appointment made on 08.12.2020. As and when the situation turns to normality and is restored, the Waqf Board shall take steps to hold the election, so that there is an electing body can take charge of the Wakf.

6. This Writ Petition stands disposed of with the above observations. No costs.

Sd/-
Assistant Registrar(CS-CCC)

//True copy//

Sub Assistant Registrar

arb

To

The Chairman,
Tamil Nadu Waqf Board,
No.1, Jaffer Syrang Street,
Mannady, Chennai - 600 001.

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NRJK(CO)
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