



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.03.2022**

CORAM:

THE HONOURABLE MR.JUSTICE **C.SARAVANAN**

W.P. (MD) No.5312 of 2022

S.Abdul Sardar

... Petitioner

/vs./

1.The Chief Executive Officer/Secretary,
Tamilnadu Wakf Board,
No.1, Jaber Sirang Street,
Vallal Seethakathi Nagar,
Chennai 600 001.

2.The Superintendent of Wakfs,
Tamilnadu Wakf Board Ramanathapuram Region,
No.159/3, Therpayasanam Road,
Velipattinam, Ramanathapuram.

3.The Inspector of Wakf (Virudhunagar),
Tamilnadu Wakf Board Ramanathapuram Region,
No.159/3, Therpayasanam Road,
Velipattinam, Ramanathapuram.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to include and restore the 18 family members names of the petitioner and remove the names of 60 dead persons in the Voters/Jamathars List and thereafter to conduct fair and secrete election to the petitioner's Jamath namely, G.S.No.198/RMD Sabashkhan Gori Pallivasal Muslim Hanabi Mathabu Jamath and G.S.No.200/RMD Subsidiary South Pallivasal situated at Sivakasi Town, by considering the representation of the petitioner dated 02.03.2022.

For Petitioner : Mr.R.Gowri Shankar
For Respondents : Mr.N.Mohideen Basha

ORDER

After hearing the learned counsel for the petitioner and the learned counsel for the respondents, I am inclined to dispose of
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this writ petition at the time of admission, considering the fact that no prejudice would be caused to the respondent Board, if the petitioner's representation dated 02.03.2022 is considered.

2.The apprehension of the petitioner appears to be that though the petitioner's name was included in the previous electoral rule published during 2013, the name of the petitioner may be deleted as there is internal power struggle within the affairs of Sabashkhan Gori Pallivasal Muslim Hanabi Mathabu Jamath situated at Sivakasi Town.

3.Though the learned counsel for the respondents submits that the respondents are yet to prepare the draft voters list and that the writ petition is premature, the respondents are directed to take note of the petitioner's representation dated 02.03.2022 while preparing the voters list. The respondents are also directed to ensure that the election is held within a period of 6 months from the date of receipt of a copy of this order, as the previous election was held in the year 2014 and the tenure of the elected members of the Jamath would have come to end in 2017, but have been allowed to be continued thereafter.

4.The writ petition stands disposed of, in terms of the above observation. No costs.

Sd/-

Assistant Registrar (CS I)

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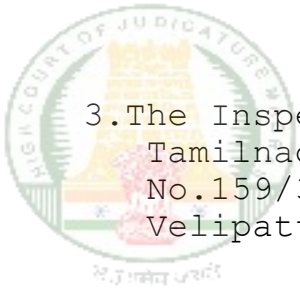
Sub Assistant Registrar(CS)

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To

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