



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.02.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD).No.3661 of 2019

and

W.M.P(MD).No.2863 of 2019

S.Sugarno

... Petitioner

Vs.

1.The Chief Executive Officer,
Tamil Nadu Wakf Board,
Door No.1 Jafar Sirang Street,
Vallal Seethakathi Nagar,
Chennai 600 001.

2.The Superintendent of Wakf,
Tamil Nadu Wakf Board,
Kanyakumari District
At Present Tirunelveli.

3.The Inspector of Wakf,
Tamil Nadu Wakf Board,
Nagarcoil.

4.The President,
Malickdhinar Baithulmal Jamath,
Pon Arippu Street,
Kottar, Nagarcoil,
Kanyakumari District.

5.The Secretary,
Malickdhinar Baithulmal Jamath,
Pon Arippu Street,
Kottar, Nagarcoil,
Kanyakumari District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of first respondent's Special Resolution No.9/08 dated 27.03.2008 and quash the same as against the principles of natural justice and violation of Article-14 of Fundamental Rights of the Constitution of India consequentially direct the first respondent to allow the tenants/members of the



Malikdhinar Baithulmal Jamath to cast their vote in the Malikdhinar Baithulmal Jamath election and to provide all other rights at par with the existing members of the Malikdhinar Baithulmal Jamath, by considering petitioner's representation dated 14.01.2019, within the period stipulated by this Court.

WEB COPY

For Petitioner	: Mr.A.Haja Mohideen
For R1 to R3	: Mr.K.K.Senthi
	Standing Counsel
For R4	: Mr.C.T.Perumal
For R5	: No Appearance

ORDER

The learned counsel for the petitioner submits that liberty may be given to the petitioner to workout remedy under Section 83 (2) of the Waqf Act, 1995.

2. Recording the request of the learned counsel for the petitioner, the writ petition is dismissed with liberty to the petitioner to workout alternate remedy before the tribunal under Section 83 (2) of the Waqf Act. Suh application will be filed by the petitioner within a period of thirty days from the date of receipt of copy of this order. In case, the petitioner filed such application, the tribunal shall consider and pass appropriate orders on merits and in accordance with law. No costs. Consequently, the connected Miscellaneous Petition is closed.

sd/-

Assistant Registrar(writs)

/TRUE COPY/

/ /2022

Sub Assistant Registrar(CS)

sn

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,
Tamil Nadu Wakf Board,
Door No.1 Jafar Sirang Street,
Vallal Seethakathi Nagar,
Chennai 600 001.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Superintendent of Wakf,
Tamil Nadu Wakf Board,
Kanyakumari District
At Present Tirunelveli.

3.The Inspector of Wakf,
Tamil Nadu Wakf Board,
Nagarcoil.

4.The President,
Malickdhinar Baithulmal Jamath,
Pon Arippu Street,
Kottar, Nagarcoil,
Kanyakumari District.

+1 CC to M/s.K.K.SENTHIL, Advocate (SR-6923[F] dated 17/02/2022)

+1 CC to M/s.C.T.PERUMAL, Advocate (SR-7196[F] dated 18/02/2022)

W.P (MD) .No.3661 of 2019
16.02.2022

MK/25.02.2022/3P/7C