



W.P.(MD).No.14937 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.07.2022

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

W.P.(MD).No.14937 of 2022

Jamal Mohamed

... Petitioner

Vs.

1. Tamil Nadu Waqf Board,
Represented by its Chairman,
No.1, Jaffer Syrang Street,
Valla Seetharathi Nagar,
Chennai – 1.

2. The Chief Executive Officer,
Tamil Nadu Waqf Board,
No.1, Jaffer Syrang Street,
Valla Seetharathi Nagar,
Chennai – 1.

3. The Election Officer,
Superintendent of Waqfs,
Trichy Zone,
No.8/124, Kayeethemillath Salai,
Palakarai,
Trichy – 8.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to conduct the election of Kabadi Pallivasal which is situated at Periya Kadaiveethi, Trichy Town, Trichy on the basis of petitioner's representation dated 10.06.2022.



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For Petitioner : Mr.T.Vadivelan
For Respondents : Mr.D.S.Haroon Rasheed,
Standing Counsel.

ORDER

The grievance of the petitioner is that the petitioner sent a representation to the respondents on 10.06.2022 seeking to conduct the election for Kabadi Pallivasal situated at Periya Kadaiveethi, Trichy Town, Trichy, since the elections have not been conducted for more than a decade.

2. On perusal of records, it is seen that the petitioner along with other members of the Mosque had sent a representation on 15.04.2022 stating that for the past ten years, the Waqf Board had not conducted any election and further, the accounts of the Mosque are not properly maintained and several lakhs of rupees have been siphoned out by the persons, who are presently holding the position without any authority. Further, the petitioner had also made a specific complaint against one M.H.Rahimudeen, who had taken illegal amount of rupees five lakhs and thereafter, influenced by the same, had let out shops on lease to the market value causing loss to the income of the Mosque. Despite the representation of the petitioner, no action has been taken. Hence, the present Writ Petition has been filed.



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3. The learned Standing Counsel appearing for the respondents submits that the representation of the petitioner would be considered and appropriate action would be taken. He also submitted that soon, election would be notified and the election would be conducted following the rules. He further submitted that there is an Audit Department in the Waqf Board, which would enquire as to whether the allegations made by the petitioner in his representation is substantiated and take appropriate action against the wrong doers.

4. In view of the above, there shall be a direction to the respondents to complete the process of calling for election within a period of six (6) weeks from the date of receipt of a copy of this order.

5. Accordingly, this Writ Petition is disposed of. There shall be no order as to costs.

13.07.2022

Index : Yes / No
Internet : Yes/ No
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M.NIRMAL KUMAR, J.

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