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W.P. (MD) Nos.6203 of 2015 and 9036 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **29.03.2022**

CORAM:

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

W.P. (MD) Nos.6203 of 2015 and 9036 of 2016

and

W.M.P. (MD) Nos.7192 and 7193 of 2016

V.Sulthan Kaleel Rahuman

... Petitioner in W.P.(MD) No.6203 of 2015

I.Ismail

... Petitioner in W.P.(MD) No.9036 of 2016

/vs./

1.The Chairman,

Tamil Nadu Wakf Board,
No.1, Jafar Sarang Road,
Chennai 600 001.

2.The Chief Executive Officer,

Tamil Nadu Wakf Board,
No.1, Jafar Sarang Road,
Chennai 600 001.

3.The Superintendent of Wakf,

Tirunelveli Zone,
No.54/15, Second Floor,
S.N.High Road,
Tirunelveli.

... Respondents 1 to 3 in both W.Ps.,

4.Mohideen Andavar Pallivasal,

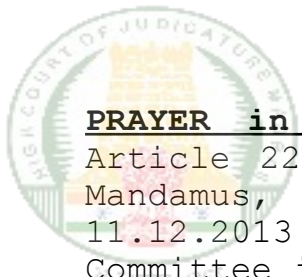
represented by its President V.I.Ismail,
Kayamozhi, Thiruchendur Taluk,
Thoothukudi District.

... 4th respondent in W.P.(MD) No.6203 of 2015

4.The Executive Officer/

Inspector of Wakf,
Thoothukudi,
Thoothukudi District.

... 4th respondent in W.P.(MD) No.9036 of 2016



PRAYER in W.P. (MD) No. 6203 of 2015: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent to place the proposal dated 11.12.2013 submitted by the 4th respondent for approval of Managing Committee in the next meeting of the 1st respondent Board.

PRAYER in W.P. (MD) No. 9036 of 2016: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, calling for the records pertaining to the impugned notice issued by the 3rd respondent in Na.Ka.No.G.S.518/ThiVeli/NiA-VaAa/ThooKudi/2016, dated 22.04.2016 and quash the same.

In W.P. (MD) No. 6203 of 2015:-

For Petitioner : Mr.M.Saravanan for
Mr.N.C.Ashok Kumar

For R1 to R3 : Mr.K.K.Senthil
Standing Counsel

For R4 : No appearance

In W.P. (MD) No. 9036 of 2016:-

For Petitioner : Mr.M.Saravanan

For Respondents : Mr.K.K.Senthil
Standing Counsel

COMMON ORDER

After hearing the learned counsel for the petitioners and the learned Standing Counsel for the respondent Board, these writ petitions are disposed of considering the fact that the previous election was held on 11.12.2013 for the period between 2013-2016. However, the election was not recognized by the respondent Board. The writ petitions are of the year 2015 and 2016. Now we are in March, 2022. It is noticed that the election held during 2016 also was not recognized by the respondent Board, in view of the pendency of the present writ petitions.

2.Considering the fact that no elected body has occupied the post in the Pallivasal, called Mohideen Andavar Pallivasal, Kayamozhi Village, Thoothukudi District since 2013, I am inclined to dispose of these writ petitions by directing the respondents 2 and 3 to conduct election for the aforesaid Pallivasal within a period of 6 months from the date of receipt of a copy of this order. It is needless to state that before conducting election, the respondents 2 and 3 are directed to draw a proper voters list and issue appropriate notice for the proposed election. The election is



directed to be conducted in a free and fair manner.

3.The writ petitions stand disposed of, in terms of the above observations. No costs. Consequently, connected miscellaneous petitions are closed.

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Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

Mm

TO:

- 1.The Chairman,
Tamil Nadu Wakf Board,
No.1, Jafar Sarang Road,
Chennai 600 001.
- 2.The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jafar Sarang Road,
Chennai 600 001.
- 3.The Superintendent of Wakf,
Tirunelveli Zone,
No.54/15, Second Floor,
S.N.High Road,
Tirunelveli.

+1 CC to M/s.R.SUBRAMANIAN, Advocate (SR-15300[F] dated 30/03/2022)

+1 CC to M/s.K.K.SENTHIL, Advocate (SR-15426[F] dated 30/03/2022)

W.P. (MD) Nos.6203 of 2015 and 9036 of 2016

29.03.2022

RD(18.04.2022) 3P 6C