



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.06.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE M.NIRMAL KUMAR**

W.P.(MD)20868 of 2017

and

W.M.P.(MD).Nos.17162 and 17163 of 2017

WEB COPY

S.K.Syed Ahamed (died)

1.M.Samsudeen

.. Petitioner

(petitioner substituted vide Court Order dated 20.04.2022

in W.M.P.(MD).No4743 of 2022 in W.P.(MD).No.20868 of 2017)

Vs

1.The Chief Executive Officer,

Tamil Nadu Wakf Board,

No.1, Jaffar Cross Road,

Vallai Seethakari Nagar,

Chennai-600 001.

2.The Superintendent of Wakf,

Tamil Nadu Wakf Board,

No.1, Town Hall Road,

Madurai.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the entire proceedings in connection with the notification of the second respondent in A.Va.No.169/Madurai/Va.Ka/2017 dated 25.10.2017 published in Thinathanthi Daily dated 25.10.2017 with regard to the appointment of members to the Administrative Committee of Hasarath Syed Sulthan Alauddin Aulia Durgah and Masjit, Goripalayam, Madurai and quash the same and consequently direct the 1st respondent to fill such vacancies by nominating Huqdars alone.

For Petitioner

: Mr.R.Anand

For Respondents

: Mr.S.A.Ajmal Khan

ORDER

This Writ Petition has been filed to quash the entire proceedings in connection with the notification of the second respondent in A.Va.No.169/Madurai/Va.Ka/2017 dated 25.10.2017 published in Thinathanthi Daily dated 25.10.2017 with regard to the appointment of members to the Administrative Committee of Hasarath Syed Sulthan Alauddin Aulia Durgah and Masjit, Goripalayam, Madurai and nominating Huqdars alone.

2.The contention of the petitioner is that Huqdars alone to be nominated as members of the committee. The stand of the respondent is that out of five committee members, three would be selected from



the Huqdars and other two would be selected from non-Huqdars. There was objection, the present petition has been filed.

3.The learned counsel appearing for the petitioner submitted that notification issued by the second respondent in A.Va.No.169/Madurai/Va.Ka/2017, dated 25.10.2017 and the election completed and Huqdars are nominated. The prayer sought for by the petitioner not becomes infructuous. Since now, on 27.03.2022, the petitioner had again sent a representation to the authorities to nominate the Huqdars, as members of the committee.

4.The learned counsel appearing for the respondent submitted that on 01.12.2018, as per Tamil Nadu Wakf Borad Resolution Serial No.25/17, dated 26.04.2017, one Janab S.Sahul Hameed was elected as Chairman by secret ballot and under which, 11 members have been nominated as Administrative Committee. The Tamil Nadu Wakf Board accepted the above committee members and the tenure of office of the committee members was ordered for a period of three years (ie. from 01.12.2018 to 30.11.2021). Now, the tenure of office was completed. Now the main grievance of the petitioner is that the members of the committee to be elected are only Huqdars or not. He further submitted that now the representation, dated 27.03.2022 has been received by the Tamil Nadu Wakf Board and the same has to be considered and election would be commenced.

5.Considering the submission made on either side, the first respondent is directed to consider the petitioner's representation dated 27.03.2022 and the election to be commenced soon.

6.With the above direction, this writ petition is disposed of. No costs. Consequently, the connected writ miscellaneous petitions are closed.

Sd/-

Assistant Registrar(AD-I)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)

Vsg

To

1.The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffar Cross Road,
Vallai Seethakari Nagar,
Chennai-600 001.



2.The Superintendent of Wakf,
Tamil Nadu Wakf Board,
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SG (CO)
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