



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P. [MD]No.22259 of 2017

and

W.M.P. [MD]Nos.18562 & 18563 of 2017

WEB COPY

Mohideen Abdul Kadher,
President,
Karaikudi Aikiya Muslim Jamath,
Sekkalai Road,
Karaikudi,
Sivagangai District.

... Petitioner

Vs.

1.The Chief Executive Officer,
Tamil Nadu Waqf Board,
Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai.

2.The Superintendent of Waqf,
Ramanathapuram Region,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, to call for the records relating to the impugned order made by the 1st respondent in Na.Ka.No.1831/14/A3/SVK dated 31.10.2017 and the consequential impugned order made by the second respondent in G.S./232/Va.Ka./Sivagangai/therthal/2017 dated 24.11.2017 and quash the same as illegal.

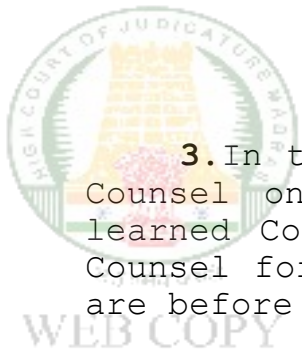
For Petitioner : Mr.M.Mahaboob Athiff

For Respondents : Mr.Mohamed Hasim
for Mr.N.Mohideen Basha
Standing Counsel

O R D E R

Read this in conjunction with and in continuation of earlier proceedings made in the previous listing on 04.01.2022.

2.Pursuant to aforementioned earlier proceedings captioned Writ Petition and captioned Writ Miscellaneous Petitions thereat have been listed along with four other writ petitions as one item in the list ie., Item No.12. The other four writ petitions are being dealt with separately vide separate proceedings.



3. In the captioned writ petition, Mr.M.Mahaboob Athiff, learned Counsel on behalf of lone writ petitioner and Mr.Mohamed Hasim, learned Counsel representing Mr.N.Mohideen Basha, learned Standing Counsel for Tamil Nadu Waqf Board on behalf of both the respondents are before this virtual Court.

4. Learned Standing Counsel for Tamil Nadu Waqf Board advertng to the impugned orders [orders are in the nature of communications from the Chief Executive Officer and the jurisdictional Superintendent of Waqf] submits that elections to the Waqf concerned have since been held and therefore the captioned writ petition has become infructuous.

5. Learned Counsel for writ petitioner submits that the pristine question of law that arises in the matter turns on the legal competence of the Waqf Board to conduct elections qua managing committees of individual Waqfs and the same may please be left open. This request is acceded to and this question is left open to be decided in the other matters where a legal tussle in this regard is imperative for arriving at a conclusion.

6. As regards the captioned Writ Petition is concerned the same is disposed of as closed having become infructuous leaving open all questions of law and more particularly the aforementioned question of law open. Though obvious it is made clear that this Court has not expressed any view or opinion on the merits of the matter in this order. Consequently, captioned two Writ Miscellaneous Petitions are also disposed of as closed. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-III)

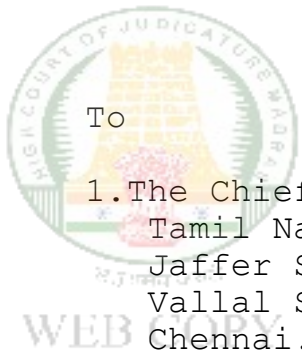
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/ /2022

Sub Assistant Registrar(CS)

MR

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 Waqf Board,
Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai.

2.The Superintendent of Waqf,
Ramanathapuram Region,
Ramanathapuram District.

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