



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2023

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

C.R.P. No.3503 of 2015

and

M.P.No.1 of 2015

1. Jalaludeen

2. M.Najbudeen

....

Petitioners

Vs

1. S.M.Mohammed Yusuff

2. John Mohammed Faisal

3. Kalifulla

4. Mohammed Jahabar

5. The Tamil Nadu Wakf Board,  
Rep. by its Chief Executive Officer,  
No.1, Jafar Sirang Road,  
Vallal Seethakkadhi Nagar,  
Chennai – 600 001.

6. Tamil Nadu Wakf Board,  
Rep by its Superintendent,  
Thanjavur Town & District.

7. Tamil Nadu Wakf Board Thiruvarur Zone,  
Rep. by its Inspector,  
Thiruvarur Town & District.



8. Kaleelul Rahman  
9. Noordeen  
10. Mohamed Sultanul Arifeen  
11. Mohamed Nathar  
12. Hasan Bawa  
13. Hyder Ali

.... Respondents

**Prayer:** Civil Revision Petition filed under Section 83(9) of the Wakf Act, 1995 to set aside the impugned fair and decreetal order dated 14.07.2015 in I.A.No.33 of 2012 in W.O.P.No.2 of 2012 on the file of the Sub Court, Nagapattinam.

For Petitioners : Mr.V.Jeevagiridharan  
For R1 : Mr.I.Kowser Nissar  
For R2 to R13 : No appearance

### ORDER

This Civil Revision Petition has been filed to set aside the impugned fair and decreetal order dated 14.07.2015 in I.A.No.33 of 2012 in W.O.P.No.2 of 2012 on the file of the Sub Court, Nagapattinam, thereby allowing the petition to appoint the Receiver to conduct election.

2. It is seen from the records that the main petition filed before the Tribunal has become infructuous, since it was filed for the following reliefs :

*“1. To declare that the election, said to have been conducted on 19.12.2010 by the Wakf inspector Mr.Hyder*



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*Ali for the administration of Mohaideen Andavargal Pallivasal as null and void.*

*2. To declare that the order passed by the Wakf Board on 30.12.2010 confirming the election said to have been conducted on 19.12.2010 as ultra virus and illegal.*

*3. To pass order for conducting fresh election as per the By-Law of 1966 and usual procedure adopted since 1983 for the mosque administration.*

*4. To restrain the present office bearers namely the respondents 4 to 9 from holding the administration any more by means of an injunction order.*

*5. To appoint a receiver namely an advocate commissioner to take over the management and the administration of the Jamath GS 206/TNJ and the Ibrahimsha Rowther trust G.S.No.176 also.*

*6. To pass an order directing the receiver to conduct fresh election as per 1966 by-law and usual procedure adopted since 1983.*

*7. To pass an order to hold election for G.S.No.176/TNJ Ibrahimsha Rowther trust separately as per the Wakf deed of the Trust 1932.*

*8. To hold election for G.S.No.206/TNJ for Mohaideen Pallivasal separately as per by law and usual procedure adopted since 1983.*



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*9. To award cost and such other relief deemed fit and to thus render justice.”*

3. It is challenged the election conducted on 19.12.2010 and the order passed by the Wakf Board on 30.12.2010, thereafter, confirming the election said to have been conducted on 19.12.2010.

4. The learned counsel appearing for the petitioner would submit that thereafter three more elections were conducted by the Wakf Board itself and as such, the main challenge itself has become infructuous.

5. Recording the said submission, this Civil Revision Petition is closed. Consequently, connected miscellaneous petition is also closed. No costs.

27.01.2023

Speaking/Non-speaking order

Index : Yes/No

Internet : Yes/No

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To

The Subordinate Judge,  
Nagapattinam.

**G.K.ILANTHIRAIYAN,J.**

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