



W.P. No. 30272 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 30272 of 2023

and

W.M.P. Nos. 29868 to 29870 of 2023

S.Nizam Mohideen

... Petitioner

-VS-

1. The Tamil Nadu Waqf Board,
Represented by its Chief Executive Officer,
No. 1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai – 600 001.
2. The District Revenue Officer/Chief Executive Officer,
Tamil Nadu Waqf Board,
No. 1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai – 600 001.
3. The President,
Kalmandapam Shaafi Pallivasal and Trust Waqf,
Having Office at 132/64, Sheik Maistry Street,
Royapuram,
Chennai – 600 013.
4. The Superintendent of Waqfs,
Tamil Nadu Waqf Board,
Chennai Region,
Door No. 135, Dr. Besant Road,
Triplicane,
Chennai.

... Respondents



W.P. No. 30272 of 2023

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorarified Mandamus, calling for the records of the Second Respondent by order dated 06.10.2023 in Na. Ka. No. 3021/17/B9/Che and quash the same and consequently direct the First and Second Respondents to send Waqf officials to be present in the general body meeting to be convened by the Third Respondent for electing Election Commissioner and Assistant Election Commissioner as per the approved Bye-law governing the Third Respondent Waqf.

For Petitioner : Mr. N.A.Nissar Ahmed,
Senior Counsel
for Mr. I.Kowser Nissar

For Respondents : Mr. Haja Mohideen Gisthi,
Standing Counsel (for R1, R2 & R4)

O R D E R

Heard Mr. N.A.Nissar Ahmed, Learned Senior Counsel appearing for the Petitioner and Mr. Haja Mohideen Gisthi, Learned Standing Counsel appearing for the First, Second and Fourth Respondents and perused the materials placed on record, apart from the pleadings of the parties.



W.P. No. 30272 of 2023

2. Having regard to the nature of order proposed to be passed in the Writ Petition, which would not cause any prejudice to the Third Respondent, notice to him is dispensed with.

3. The Writ Petition has been filed challenging the Order in Na. Ka. No. 3021/17/B9/Che dated 06.10.2023 passed by the Second Respondent and to consequently direct the First and Second Respondents to direct the Waqf Officials to be present in the general body meeting to be convened by the Third Respondent for electing Election Commissioner and Assistant Election Commissioner as per the approved Bye-law governing the Waqf of the Third Respondent.

4. Learned Standing Counsel appearing for the First, Second and Fourth Respondents, on instructions, states that it has been decided in the Board Meeting held on 27.11.2023 that the present Managing Committee of the Waqf of the Third Respondent can continue till the end of its tenure on 12.12.2023 and steps are being taken for conduct of election of the said Waqf as per the scheme framed and he has made an endorsement to that effect in the court record.



W.P. No. 30272 of 2023

5. In view of the same, nothing remains for further consideration in the Writ Petition.

In the result, the Writ Petition is disposed. Consequently, the connected Miscellaneous Petitions are closed. No costs.

28.11.2023

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 14.02.2024.

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To

1. The Chief Executive Officer,
Tamil Nadu Waqf Board,
No. 1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai – 600 001.
2. The District Revenue Officer/Chief Executive Officer,
Tamil Nadu Waqf Board,
No. 1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai – 600 001.
3. The Superintendent of Waqfs,
Tamil Nadu Waqf Board,
Chennai Region,
Door No. 135, Dr. Besant Road,
Triplicane,
Chennai.



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W.P. No. 30272 of 2023

P.D. AUDIKESAVALU, J.

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W.P. No. 30272 of 2023

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