



WEB COPY



W.P. No. 35637 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2023

CORAM

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

**W.P. No. 35637 of 2023
and
W.M.P. No. 35589 of 2023**

Shakarsha Makkan Managing Committee
and Trust, Rep. By its K.Rajakhan, Treasurer
No.122/163, Muluvadi Gate,
Salem 636 007.

... Petitioner

-VS-

1. The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffer Shrang Street,
Vallal Seedhakathi Nagar,
Chennai 600 001.
2. The Superintendent
Tamil Nadu Wakf Board,
Salem West Zone,
No.4A, Thippusultan Market,
Salem 636 001.

...
Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Second Respondent to conduct the election in secret ballot method after publishing the proper voters list and fix election date of Shakarsha Makkan Managing Committee and Trust, Muluvadi Gate, Salem 636 007.



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For Petitioner : Mr. V.R. Annagandhi

For Respondents : Mr. Mohammed Fayaz Ali,
Standing Counsel

ORDER

Heard Mr. V.R. Annagandhi, Learned Counsel for the Petitioner and Mr. Mohamed Fayaz Ali, Learned Standing Counsel appearing for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition has been filed seeking a direction to the Second Respondent to conduct election in secret ballot method after publishing the proper voters list and fix election date of Shakarsha Makkan Managing Committee and Trust, Mulavadi Gate, Salem.

3. Inasmuch as Section 83 of the Waqf Act, 1995, enables the Petitioner to seek the relief sought in this Writ Petition by filing an application before the Waqf Tribunal, Learned Counsel for the Petitioner seeks permission of the Court to withdraw the Writ Petition reserving the rights of the Petitioner to



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resort to the aforesaid procedure and he has made an endorsement to that effect

in the court record.

In fine, the Writ Petition is dismissed as withdrawn with the aforesaid clarifications. Consequently, the connected Miscellaneous Petition is closed. No costs.

21.12.2023

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 27.02.2024.

Maya

To

1. The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffer Shrang Street,
Vallal Seedhakathi Nagar,
Chennai 600 001.
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P.D. AUDIKESAVALU, J.

Maya

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