



W.P. (MD) No. 837 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.01.2023

C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

W.P. (MD) No. 837 of 2023

and

W.M.P. (MD) Nos. 816 and 817 of 2023

Valanadu Pallivasal @ Mohaideen

Andavar Jumma Pallivasal Waqf,

Rep. By its Secretary,

Abubacker Siddique.

... Petitioner

Vs.

1.Tamil Nadu Waqf Board,
Represented by its Chairman,
No.1, Jaffer Syrang Street,
Valla Seetharathi Nagar,
Chennai – 1.

2.The Chief Executive Officer,
Tamil Nadu Waqf Board,
No.1, Jaffer Syrang Street,
Valla Seetharathi Nagar,
Chennai – 1.

3.The Election Officer,
Superintendent of Waqfs,
Trichy Zone,
No.8/124, Kayeethemillath Salai,
Palakarai, Trichy – 8.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the constitution of India, to issue a Writ of Certiorarified Mandamus, by calling for entire records pertaining to the impugned notification issued by the entire records pertaining to the impugned notification issued by the 3rd respondent vide his proceedings in Na.Ka.G.S.No.213/Trichy/Thy.A/Va.Ka/2023 dated 05.01.2023 and quash the same as illegal and consequently direct the respondents to consider and dispose of petitioner's representation dated 29.11.2022 within a time stipulation as prescribed by this Court.

For Petitioner : Mr. M.Pitchai Muthu
For Respondents : Mr. G.Chandrasekar
Standing Counsel

ORDER

Heard Mr. M.Pitchai Muthu, Learned Counsel for the Petitioner, Mr. G.Chandrasekar, Learned Standing Counsel for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition has been filed challenging the notification in Na.Ka.G.S.No. 213/திருச்சி/தே.அ/வ.க/2023 dated 05.01.2023 issued by the Third Respondent and for directing the Respondents to consider and dispose his



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representation dated 29.11.2022 made in that regard.

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3. Learned Standing Counsel appearing for the Respondents, on instructions from the Third Respondent, has filed a memo dated 23.01.2023 stating that in furtherance to the representation dated 29.11.2022 made by the Petitioner, the proposed election, which was scheduled to be conducted on 05.02.2023, has been postponed and the election would be held after finalization of the voters' list. This would not, however, it would not preclude the Petitioner, if it has any other grievances from working out its remedies before proper forum in the manner recognized by law.

5. In fine, the Writ Petition is disposed with the aforesaid observations. Consequently, the connected Miscellaneous Petitions are closed. No costs.

23.01.2023

NCC : Yes/No
Index : Yes/No
Sm



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TO:

1. Tamil Nadu Waqf Board,
Represented by its Chairman,
No.1, Jaffer Syrang Street,
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Chennai – 1.
2. The Chief Executive Officer,
Tamil Nadu Waqf Board,
No.1, Jaffer Syrang Street,
Valla Seetharathi Nagar,
Chennai – 1.
3. The Election Officer,
Superintendent of Waqfs,
Trichy Zone,
No.8/124, Kayeethemillath Salai,
Palakarai, Trichy – 8.

Copy to :-

4. Valanadu Pallivasal @ Mohaideen
Andavar Jumma Pallivasal Waqf,
Rep. By its Secretary, Abubacker Siddique,
Valanadu Village, Marungapuri, Trichy District.



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P.D.AUDIKESAVALU,J.

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23.01.2023