



W.P.(MD) No.8738 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.04.2023

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.8738 of 2023

and

W.M.P(MD) Nos.8005 and 8007 of 2023

Syed Halima Beevi

... Petitioner

Vs.

- 1.The Chairman,
Tamil Nadu Wakf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai-600001.
- 2.The Tamil Nadu Wakf Board,
Rep by its Chief Executive Officer,
No.1 Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai-600001.
- 3.The Election Officer cum Superintendent of Wakfs,
Tirunelveli Zone,
Office of the Superintendent of Wakfs,
51/80, K.A.P Complex,
Thiruvananthapuram Road,
Kulavanigapuram,
Palayamkottai,
Tirunelveli District.



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4.The Wakfs Inspector of Thoothukudi,
Office of the Superintendent of Wakfs,
51/80, K.A.P.Complex,
Thiruvananthapuram Road,
Kulavanigapuram,
Palayamkottai,
Tirunelveli District.

5.The Secretary,
Majisil Bugari Sherif Wakf,
Kayalpattinam,
Thiruchendur Taluk,
Thoothukudi District.

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned election notification issued by the third respondent in ந.க.ஜி.எஸ்.503/வ.க/தே.அ/திவேலி/2023 dated 06.04.2023 and quash the same as illegal and consequently, direct the respondents 1 to 3 to prepare the voters list afresh by including the names of women who have crossed 18 years of age.

For Petitioner : Mr.V.Angusamy

For Respondents : Mr.Hajamohideen Gisthi
for Mr.S.A.Ajmalkhan
Standing Counsel



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ORDER

The above writ petition has been filed for issuance of a writ of certiorarified mandamus to call for the records pertaining to the impugned election notification issued by the third respondent in ந.க. ஜி.எஸ்.503/வ.க/தே.அ/திவேலி/2023, dated 06.04.2023 and quash the same as illegal and consequently, direct the respondents 1 to 3 to prepare the voters list afresh by including the names of women, who have crossed 18 years of age.

2.This Court by an order dated 15.03.2023 in W.P(MD) No.3071 of 2023 has issued directions to the first respondent to conduct the election to the fourth respondent Wakf and schedule has also been drawn up by this Court. As per the schedule, the voter list had to be published in the notice board of the wakf on or before 27.03.2023. It is informed that this order has been challenged in appeal. However, no interim order has been obtained by the appellant and therefore, the first respondent is proceeding to comply with the order of this Court in the said writ petition.



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3. The present writ petition has been filed at the nth hour though the relief claimed is laudable one. However, considering the fact that the election machinery has already been set in motion, the said Writ petition is dismissed with a direction to the Board that would be formed after the election, to consider the request of the women to include them as members of the Majisil Bugari Sherif Wakf and the first and second respondents shall endeavour to facilitate the compliance of the above direction by the newly appointed Board. No costs. Consequently, connected miscellaneous petitions are closed.

18.04.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes
cp



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P.T.ASHA, J.

cp

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