



W.P.(MD)No.16348 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.07.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.16348 of 2023

M.Mohamed Nijami,
Ex Preisdnet, Masjid Noor Muslim Jamath.

... Petitioner

Vs.

1. The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffer Sirang Street,
Vallal Seethakathi Nagar,
Chennai – 1.
2. The Superintendent of Wakfs,
O/o.The Superintendent of Wakfs,
No.159/3, Therppa Sayanam Road,
Velipattinam,
Ramanathapuram.
3. The Inspector of Wakfs,
O/o.the Superintendent of Wakfs,
No.159/3 Therppa Sayanam Road,
Velipattinam,
Ramanathapuram.
4. Kader Meera Kani
5. Latif

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of *Writ of Mandamus*, directing the 1st respondent to consider petitioner's representations, dated 19.01.2023 and 30.03.2023 demanding to stop the illegal administration and to conduct fair and proper election as per the petitioner Bye law of Jamath along with Board of Directors by updating eligible voters list with the help of any one retired Judicial Officer within in a time framed fixed by this Court.

For Petitioner : Mr.S.Raja Mohamed, for
M/s.Mohamed Associates

For R1 to R3 : Mr.S.A.Ajmal Khan,
Standing Counsel

ORDER

This writ petition is filed for *Writ of Mandamus* directing the 1st respondent to consider the petitioner's representations, dated 19.01.2023 and 30.03.2023, thereby to stop the illegal administration and also conduct fair election as per By-law of the Jamath along with Board of Directors after updating eligible voters list.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.



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3. The contention of the petitioner is that the Pallivasal was started in the year 1998 by 21 persons. In spite of appropriate administration all over these years, the subsequent incumbents of Pallivasal are creating trouble and they are not allowing to conduct election properly and they are not allowing to prepare the voter list. Infact, they are not allowing the people to enter the Pallivasal, who started the Jamath. Therefore, the petitioner is before this Court.

4. In spite of several representations, the 1st respondent has not adhere to the Rules and Regulations and By-laws of the Wakf and has not conducting proper enquiry and election.

5. Therefore, this Court without going into the merits of the case, directing the 1st respondent to conduct enquiry by calling both sides and properly prepare the list of voters and conduct election. The preliminary enquiry and preparation of list of eligible voters, shall be prepared within a period of 2 months from the date of receipt of a copy of the order. The election shall be conducted within the period of 6 months, thereafter.



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6. Accordingly, this Writ petition is allowed. There shall be no order as to costs.

Index : Yes / No
Internet : Yes
ksa

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3. The Inspector of Wakfs,
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S.SRIMATHY, J

ksa

**Order made in
W.P.(MD)No.16348 of 2023**

06.07.2023