

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.03.2023

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

WP(MD)No.5445/2018 &
WMP(MD)Nos.5377, 5378 & 5806/2018

M.Seyad Ali Fathima

... Petitioner

Vs.

1.The Superintendent of Wakf
cum Election Officer,
Tamil Nadu Wakf Board,
51/80, Kadhar Auliah Pallivasal,
Commercial Complex,
Near Railway Gate,
Kulavanigarpuram,
Palayamkottai, Tirunelveli.

2.The Tamil Nadu Wakf Board,
Represented by its Chief Executive Officer,
No.1, Jaffar Chirang Street,
Vallal Seethakathi Nagar,
Chennai 600 001.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of certiorarified mandamus calling for the records of the first respondent's Election Notification No.2 dated 23.02.2018, quash the

same as illegal in so far as it restricts the inclusion of adult women in the election of Managing Committee of Sulaiman Nabi Pallivasal and consequently direct the first respondent to include the adult women in the voters list.

For Petitioner	:	Mr.M.Senthil Kumar
For Respondents	:	Mr.G.Chandrasekar, Standing Counsel for R1 and R2

ORDER

The petitioner has sought two reliefs in the above writ petition, namely, (i) to quash the records of the first respondent relating to the Election Notification No.2 dated 23.02.2018 and declare the notification illegal as it restricts the inclusion of the adult women in the election of Managing Committee of Sulaiman Nabi Pallivasal and (ii) to consequently direct the first respondent to include the adult women in the voters list.

2. When the matter was taken up for hearing today, it is informed by the learned counsel appearing for the petitioner that the relief to quash

the Election Notification No.2 dated 23.02.2018 has become infructuous, since the period is over. Hence, this writ petition is dismissed as infructuous. However, the other relief that is sought for is one for a larger relief of including women in the voter's list. The request appears to be one in keeping with a progressive and evolving society. Therefore, considering the fact that elections are a continuing affair, liberty is granted to the petitioner to raise the issue of inclusion of women in the voter's list when the next election notification is issued before the Authorities. As and when an application in this regard is received, the respondents shall consider the same favourably, taking into account the progress made by the Society. No costs. Consequently, the connected Miscellaneous Petitions are closed.

29.03.2023

NCC:Yes/No
Index:Yes/No
Speaking/Non-speaking order

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P.T.ASHA, J.

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To

- 1.The Superintendent of Wakf
cum Election Officer,
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