



W.P.(MD).No.20333 of 2023

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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**DATED : 22.08.2023**

**CORAM**

**THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

**W.P.(MD).No.20333 of 2023  
and  
W.M.P.(MD).No.16760 of 2020**

1.T.Madharkhan

2.A.Thasthagir

3.T.Kadhar Maideen

... Petitioners

**Vs.**

1.The Chief Executive Officer,  
Tamil Nadu Wakf Board,  
No.1, Jaffer Syrang Street,  
Vallal Seethakathi Nagar,  
Chennai – 600 001.

2.The Election Officer Cum Superintendent,  
O/o. Wakf Superintendent,  
No.176/1, 1<sup>st</sup> Floor, Therpasayanam Road,  
Velipattinam Road,  
Ramanathapuram – 623 504.

3.Aruppukottai Nallur Mohaideen Andavar Pallivasal,  
Aruppukottai,  
Virudhunagar District,  
Represented through its Muthavalli.

... Respondents



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**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first and second respondents to redraft and include the petitioner's name in the Voter's List pertaining to the election to the Office Bearers of the Managing Committee to the Administration of Aruppukottai Nallur Mohaideen Andavar Pallivasal Jamath (G.S.9/RMD) situated at Aruppukottai, Virudhunagar District on the basis of their Applications dated 21.06.2023 and for other reliefs.

For Petitioner : Mr.J.Lawrance

For Respondents : Mr.D.S.Haroon Rasheed,  
Standing Counsel.

### **ORDER**

This Writ Petition is filed for Mandamus, directing the first and second respondents to redraft and include the petitioner's name in the Voter's List on the basis of their applications dated 21.06.2023 and for other reliefs.

2. The election notification was issued on 23.06.2023 and the same was challenged in W.P.No.14829 of 2023 before the Principal Bench and the Hon'ble Court has granted an interim stay.



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3. In the present writ petition, the contention of the petitioners is that the respondents had issued Notification No.4 dated 19.06.2003 calling for inclusion and deletion of names in the voter list. The petitioners had submitted an application on 21.06.2023 to include their names in the voter list. The time granted in the said notification is three days and the petitioners had submitted application within the said three days. But the respondents without processing the petitioner's application, had issued the Election Notification, which is being stayed by the Principal Bench.

4. By taking the aforesaid facts into consideration, the respondents are directed to reconsider the petitioners' application to include their names in the voter list and pass orders, within a period of two (2) weeks, from the date of receipt of a copy of this order. If the respondents are passing any negative order against the petitioners, then the respondents shall state the reasons. In short, the respondents shall pass a speaking order and the petitioners are at liberty to challenge the same.



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5. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

**22.08.2023**

NCC : Yes/No  
Index : Yes / No  
Internet : Yes/ No  
Nsr

To

- 1.The Chief Executive Officer,  
Tamil Nadu Wakf Board,  
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Vallal Seethakathi Nagar,  
Chennai – 600 001.
- 2.The Election Officer Cum Superintendent,  
O/o. Wakf Superintendent,  
No.176/1, 1<sup>st</sup> Floor, Therpasayanam Road,  
Velipattinam Road,  
Ramanathapuram – 623 504.
- 3.The Muthavalli.  
Aruppukottai Nallur Mohaideen Andavar Pallivasal,  
Aruppukottai,  
Virudhunagar District.



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**S.SRIMATHY, J.**

Nsr

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