



W.P.(MD)No.23517 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.09.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.23517 of 2023

and

W.M.P(MD)Nos. 19718 & 19719 of 2023

A.Raj Mohammed

... Petitioner

- Vs. -

1. The Wakf Board,
Through its Chief Executive Officer,
Jaffar Syrang Street,
Seethakathi Nagar,
Chennai 600001.
2. The District Collector,
Thanjavur District,
Thanjavur.
3. The Tahsildhar,
Thiruvaiyaru,
Thanjavur District.
4. The Inspector of Wakfs ,
Dinwan Nagar,
Thanjavur.



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5. Kamal Batcha

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to hold an enquiry regarding the alleged election for committee for the administration of Mohideen Andavar Pallivasal, Thiruvaiyaru Taluk, Thanjavur District and take a call for proper, free and fair election for the said Jamad in accordance with law, by considering the petitioner's representation, dated 30.06.2023.

For Petitioner : Mr.V.R.Shanmuganathan

For Respondents : Mr.N.Mohideen Basha,
Standing Counsel, for R-1& R-4

Mr.A.K.Manikkam,
Special Government Pleader, for R-2 & R-3

ORDER

This writ petition is filed for Writ of Mandamus directing the 1st respondent to hold an enquiry regarding the alleged election for committee for the administration of Mohideen Andavar Pallivasal, Thiruvaiyaru Taluk, Thanjavur District, by considering the petitioner's representation, dated 30.06.2023.



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2. Heard Mr.V.R.Shanmuganathan, the Learned counsel appearing for the Petitioner, Mr.N.Mohideen Basha, the Learned Standing Counsel appearing for the respondents 1 & 4, Mr.A.K.Manikkam, the Learned Special Government Pleader appearing for the respondents 2 & 3 and perused the material documents available on record. With their consent, the writ petition is taken up for final disposal at the admission stage itself.

3. The contention of the petitioner is that the 5th respondent has convened a meeting by heading the meeting and he himself elected as President. There is no absolute transparency in the said meeting and the selection process. Therefore, the petitioner is seeking direction to the 1st respondent to conduct enquiry regarding the alleged election by considering his representation.

4. Accordingly, the 1st respondent is directed to conduct enquiry, by issuing notice to the petitioner as well as the 5th respondent and the other persons who are alleged to have participated in the selection process. After hearing objections from all the parties, the Wakf Board shall consider and pass orders,



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within a period of Four weeks, from the date of receipt of a copy of the order.
until then the Staus quo shall be maintained by the parties.

5. With the above terms, this Writ Petition is allowed. No Costs.

Consequently, connected miscellaneous petitions are closed.

Index : Yes / No
Internet : Yes
NCC : Yes / No
ksa

26.09.2023



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To

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S.SRIMATHY, J

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**Order made in
W.P.(MD)No.23517 of 2023**

26.09.2023