



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2024

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

**W.P. No.22434 of 2024
and W.M.P. No.24431 of 2024**

M.Mohammed Lliyas

... Petitioner

-VS-

1. The Chief Executive Officer,
Tamil Nadu Waqf Board,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai-1.

2. The State Election commissioner,
Arumbakkam,
Chennai-6.

3. The District Collector,
Vellore.

4. The Superintendent of Wakf,
Tamil Nadu Waqf Board,
No.8, Mosque Compound,
Arani Road,,
Sainathapuram, Vellore-632 001.

5. The Tahsildar,
Ambur Taluk, Tirupathur District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus directing the first respondent to dispose of the petitioner's representation dated 27.06.2024 and consequently,



pass appropriate orders to cancel the election conducted by the 4th respondent on 28.04.2024 in Neelikollai Masjid Waqf, Ambur as null and void.

For Petitioner(s) : Mr. K.Shaul Hameed

For Respondent(s) : Mr.R.Abdul Mubeen RR1 & 4
Mr.S.Sivashanmugam, SC R2
Mr.G.Krishnaraja RR3 & 5

ORDER

By consent of both parties, the Writ Petition is taken up for final hearing at the admission stage itself.

2. This petition has filed seeking a direction to the first respondent to dispose of the petitioner's representation dated 27.06.2024 and consequently, pass appropriate orders to cancel the election conducted by the 4th respondent on 28.04.2024 in Neelikollai Masjid Waqf, Ambur.

3. It is the case of the petitioner that the petitioner is the member of the Neelikollai Masjid Waqf. The Tamil Nadu Waqf Board appointed a Management Committee to manage the Neelikollai Masjid Wakf in 2015 for a period of three years. After that, they did not conduct ay elections till 2023. Consequently, the petitioner and other members made several representations to the first respondent on 07.03.2023 to conduct elections and appoint a new



the petitioner claims that without giving sufficient time, an election was conducted by the committee. If the petitioner has any grievance, the same has to be adjudicated only before the Wakf Tribunal not before this Court.

6. Heard the learned counsel for the petitioner and the learned Standing Counsel appearing for the respondents and perused the materials available on record.

7. On perusal of the records, it is seen that the petitioner has made an application before the Wakf Tribunal to conduct election for Neelikollai Masjid wakf and after conducting election, the petitioner made a representation before the first respondent to cancel the said election. Further, the petitioner has not added the said Neelikollai Masjid Wakf as one of the the respondent in the writ petition. If the petitioner has any grievance in respect of the election, he has to approach the competent forum to resolve the issue. Without doing so, the petitioner has made representation to the first respondent and filing the present writ petition before this Court, which is not maintainable and the same is liable to be dismissed.

8. Accordingly, the writ petition is dismissed. However, the petitioner is



at liberty to approach the Wakf Tribunal in the manner known to law. No costs.

Consequently, connected miscellaneous petition is closed.

07.08.2024

Rli

Note- Issue order copy on 09.08.2024

Index: Yes/No

NCS : Yes/No

To

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M.DHANDAPANI, J.

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