



W.P.(MD) No.8588 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.06.2024

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.(MD)No.8588 of 2024

and

W.M.P.(MD)No.7832 of 2024

Mohamed Iliyas, S/o.Abdul Khadar

... Petitioner

Vs.

1.The Tamil Nadu Waqf Board,
Rep. by its Chief Executive Officer,
No.1 Jaffer Syrang Street,
Vallalseethakathi Nagar,
Chennai.

2.The Superintendent of Waqf,
Tamil Nadu Waqf Board,
Tanjore Division,
Mohamed Ali Kuthba Taikal Pallivasal Complex,
Tanjore.

... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Prohibition, prohibiting the respondents from holding election to the Railadi Masjid E Ibrahim Waqf (Registration No. 255 / TNJ), Pattukottai, in light of the order made by this Court in **KBMA Mohamed Salaudeen vs. The Chairman** (W.P.No.18959 of 2022, dated 19.10.2022) and in **Mohamed Yusuf vs. Tamil Nadu Waqf Board** in (W.P.(MD)No.13695 of 2020, dated 19.04.2023).



W.P.(MD) No.8588 of 2024

For Petitioner : Mr.M.Mahaboob Athiff
For Respondents : Mr.S.A.Ajmalkhan
Standing Counsel

ORDER

This Writ Petition has been filed for issuance of a Writ of Prohibition, prohibiting the respondents from holding election to the Railadi Masjid E Ibrahim Waqf (Registration No. 255 / TNJ), Pattukottai, in light of the order passed by this Court in **KBMA Mohamed Salaudeen vs. The Chairman** (W.P.No.18959 of 2022, dated 19.10.2022) and in **Mohamed Yusuf vs. Tamil Nadu Waqf Board** in (W.P.(MD)No.13695 of 2020, dated 19.04.2023).

2. It is noticed that the issue is now squarely covered in favour of the petitioner. Further, the Proforma of the Waqf filed by the petitioner indicates that the rule of succession of the Office of the Muthawalli under the Wakt Deed is selection by Local Jamath once in three years.

3. This Court has already dealt with the similar issue in **K.V.M.A.Mohammed Salahudin vs. The Chairman, Tamil Nadu**



W.P.(MD) No.8588 of 2024

Wakf Board, Chennai and others [W.P.No.18959 of 2022, dated 19.10.2022], which has been followed in **Mohammed Yusuf vs. The Tamil Nadu Wakf Board, Rep. by its Chief Executive Officer, Chennai and another**, CDJ 2023 MHC 3672.

4. The above said decisions were recently followed by this Court in **N.Mohammed Ali Jina vs. The Tamil Nadu Waqf Board, Rep. by its Chief Executive Officer and another** [W.P.(MD)No.25585 of 2022, dated 07.06.2024].

5. In view of the above, this Writ Petition stands allowed with liberty to the respondents to workout their remedy in the pending appeal before the Division Bench of this Court. No costs. Consequently, connected Miscellaneous Petition is closed.

Index : Yes/ No
Neutral Citation: Yes / No
Speaking Order / Non-Speaking Order
smn2

21.06.2024



W.P.(MD) No.8588 of 2024

To

WEB COPY

- 1.The Chief Executive Officer,
Tamil Nadu Waqf Board,
No.1 Jaffer Syrang Street,
Vallalseethakathi Nagar,
Chennai.
- 2.The Superintendent of Waqf,
Tamil Nadu Waqf Board,
Tanjore Division,
Mohamed Ali Kuthba Taikal Pallivasal Complex,
Tanjore.



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W.P.(MD) No.8588 of 2024

C.SARAVANAN, J.

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W.P.(MD) No.8588 of 2024

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