



CONT P(MD)No.842 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.06.2024

CORAM

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

CONT P(MD)No.842 of 2024

M.Mohamed Nijami

... Petitioner

vs.

1.R.Jainulaptheen,
The Chief Executive Officer,
Tamilnadu Wakf Board,
No.1, Jaffer Sirang Street,
Vallal Seethakathi Nagar,
Chennai-1.

2.Kader Meera Kani,
President,
Masjid Noor Muslim Jamath,
Paramakudi, Ramanathapuram.

... Contemnors / Respondents

(R2 is suo motu impleaded, as per order of
the Court, dated 30.04.2024 in Cont P(MD)No.
842 of 2024 in W.P.(MD)No.16348 of 2023)

PRAYER: Petition filed under Section 11 of the Contempt of Court Act, 1971, to
punish the respondent for willfully disobeying and not complying with the order
of this Court, dated 06.07.2023, in W.P.(MD)No.16348 of 2023.



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CONT P(MD)No.842 of 2024

For Petitioner : Mr.S.Raja Mohamed
for M/s.Mohamed Associates

For R1 : Mr.D.S.Haroon Rasheed

For R2 : Mr.P.Gunasekaran

ORDER

The present contempt is filed alleging disobedience of the order dated 06.07.2023 in W.P.(MD)No.16348 of 2023. In the said order this Court without going into the merits of the case had directed to 1st respondent to conduct enquiry by calling both sides and properly prepare the list of voters and conduct election. The preliminary enquiry and preparation of list of eligible voters shall be prepared within a period of two months from the date of receipt of the order copy.

2. The contention of the petitioner is that the respondent failed to prepare the list of voters. However, the contemnor submitted that the petitioner had circulated a list of eligible voters consisting of 21 members, but the 2nd respondent group submitted that there are 173 members. Hence, the contemnor



CONT P(MD)No.842 of 2024

WEB COPY

prayed to direct both the parties to circulate the correct voter list. Therefore, this Court vide order dated 30.04.2024 directed the 2nd respondent to circulate the entire list which is available with them.

3. Today when the case was taken up it is submitted that the 1st respondent had received the list of 173 members. In such circumstances there will not be impediment for the 1st respondent to proceed with election. Hence the 1st respondent is directed to conduct election and complete it on or before 30.09.2024.

4. The respondents shall conduct the election in democratic procedures like issuing ballot paper and other formalities. There shall not be any mockery in the election. The election shall be videographed and the expenses shall be borne by the concerned Waqf.

5. Therefore, the contempt petition is closed with the above direction. However, liberty is granted to either parties to reopen the contempt petition, if



CONT P(MD)No.842 of 2024

WEB COPY

there is any difficulty or deviation in the election process.

Index : Yes / No

18.06.2024

Internet : Yes

Tmg



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CONT P(MD)No.842 of 2024

S.SRIMATHY, J

Tmg

Order made in
CONT P(MD)No.842 of 2024

18.06.2024