



W.P.(MD) No.12609 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.12609 of 2024

Sivakasi Shabash Khan Gori Pallivasal,
Represented by its Secretary S.Syed Ibrahim.

... Petitioner

Vs.

1.The Tamil Ndu Wakf Board,
Represented by its Chief Executive Officer,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai.

2.The Superintendent of Wakf,
Tamil Nadu Wakf Board,
Ramanathapuram Regional Office,
No.159/3, Therpasayanam Road, Velipattinam,
Ramanathapuram – 623 5041.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for
issuance of Writ of Mandamus to direct the respondents to approve the elected



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managing committee of the petitioner pallivasal election held on 05.11.2023 conducted by the Hon'ble Election Officer/Retd., Justice of the Hon'ble High Court and consequently, to consider the representations dated 13.11.2023 and 29.04.2024 preferred by the petitioner.

For petitioner : Mr.P.Athimoolapandian

For respondents : Mr.G.Chandrasekar
Standing Counsel

ORDER

Heard learned counsel for the petitioner and the learned Standing Counsel for the respondents.

2. The election to the subject Sivakasi Shabash Khan Gori Pallivasal was held on 05.11.2023, pursuant to the direction of this Court in W.P.(MD) No. 5280 of 2023 dated 18.07.2023. After the election was conducted on 05.11.2023, the deponent was appointed as a Secretary along with other persons, as office bearers of the petitioner. The election was conducted under the supervision of the Hon'ble Justice Mr.Hari Paranthaman (Retd.), who was appointed vide order dated 18.07.2023 in W.P.(MD).No.5280 of 2023 to conduct and monitor the election process.



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3. It is submitted that despite the same, the respondents have not recognised the elected body. The records reveals that the second respondent has also sent communications to the petitioner with a copy marked to his superiors. However, till date, the recognition has not been granted.

4. The learned Standing Counsel for the respondents would submit that it is mandatory part of the elected body to comply with the requirements under Section 42 of the Waqf Act, 1995 and therefore, fresh representation may be sent to the Board.

5. No useful purpose will be served by asking the petitioner to send a fresh communication to the Board as the second respondent acts under the jurisdiction of the first respondent. It is for the second respondent to forward the records to the first respondent that are available for recognising the elected body.

6. Hence, this Writ Petition is disposed of by directing the second respondent to forward the papers filed by the petitioner to the first respondent, who shall forward the recommendation of the second respondent to the Wakf



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Board, represented by its Chairman.

7. This exercise shall be completed by the Wakf Board within a period of two months from the date of receipt of a copy of this order.

This Writ Petition is disposed of, with above directions. No costs.

Index : Yes / No
Internet : Yes / No
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C.SARAVANAN, J.

apd

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