



W.P.(MD) No.15230 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.15230 of 2024

1.A.Jahir Hussain

2.S.Sahulhameed

... Petitioners

/vs./

1.The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai 600 001.

2.The Superintendent,
Tamil Nadu Wakf Board,
Door No.1, Town Hall Road,
Madurai 625 001.

3.J.Raj Kapor

4.Haji. S.Kaja Nazmudeen

5.S.Abuthahir

6.K.Ahamed Raja



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7.A.Kaja Maideen

8.M.Mohammed Najamudeen

9.Thajudee.S.

10.M.Akbar Ali

11.Muthu Mohammed

12.M.Seeni Mohammed Abdul Raheem

13.N.Mohammed Yassin

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st and 2nd respondent to recount the votes polled on 28.04.2024, conducted in Madurai Managar Kollam Pattarai Theru Sungam Pallivasal Muslim Uravinmurai Jamadh, based on the petitioners' representation dated 07.05.2024, by constituting a separate committee.

For Petitioners	: Mr.J.Jeyakumaran
For R1 & R2	: Mr.K.Jeyamohan
	Standing Counsel
For R10	: Mr.M.Mahaboob Athiff

ORDER

Heard Mr.J.Jeyakumaran, learned counsel for the petitioners,
Mr.K.Jeyamohan, learned Standing Counsel for the respondents 1 and 2 and
Mr.M.Mahaboob Athiff, learned counsel for the 10th respondent.



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2.The petitioners have filed this writ petition for a Mandamus to direct the respondents 1 and 2 to recount the votes polled on 28.04.2024 conducted in Madurai Managar Kollam Pattarai Theru Sungam Pallivasal Muslim Uravinmurai Jamadh, based on the petitioners' representation dated 07.05.2024, by constituting a separate committee.

3.The election was conducted pursuant to the directions of this Court in W.P.(MD) Nos.31318 of 2023 and 58 of 2024, wherein by an order dated 13.02.2024, Mr.Ajmal Khan, learned Senior Counsel and Mr.Mohammed Mohideen, learned counsel were appointed as interim Administrators to conduct the election. The petitioners are the unsuccessful candidates, who are now dissatisfied with the counting and therefore have approached this Court.

4.There is no scope for entertaining this writ petition, as the petitioners have an alternate remedy under Section 83 of the Tamil Nadu Wakf Act, 1995. Therefore, this Writ Petition stands dismissed with liberty to the petitioners to challenge the election held on 28.04.2024 in the manner known to law before the Wakf Board.



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5. With the above directions, the Writ Petition stands dismissed. No costs.

Index : Yes / No
Internet : Yes / No
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