



W.P.(MD)No.22530 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.09.2024

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.(MD)No.22530 of 2024

R.Alimasthan

... Petitioner

Vs.

1.The Chief Executive Officer,
Tamil Nadu Wakf Board,
Door No.1, Jafar Sirang Street,
Vallal Seethakathi Nagar,
Chennai – 600 001.

2.The Superintendent of Wakf,
Tamil Nadu Wakf Board,
Sivagangai District
at Ramanathapuram.

3.The Inspector of Wakf Board,
Tamil Nadu Wakf Board,
Sivagangai District
at Ramanathapuram.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to direct the respondents 2 and 3 to conduct the election of Karaikudi Ikiya Muslim Jamath Committee by considering the petitioner's representation dated 28.05.2024, within the period stipulated by this Court.



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For Petitioner : Mr.A.Haja Mohideen

For Respondents : Mr.G.Chandrasekar

ORDER

The present Writ Petition is filed praying for a Mandamus, directing the first respondent to direct the respondents 2 and 3 to conduct the election of Karaikudi Ikiya Muslim Jamath Committee, by considering the petitioner's representation dated 28.05.2024.

2. It is submitted by the learned counsel for the petitioner as well as the respondents that the issue stands covered by the decision of this Court in the case of *Mohammed Yusuf Vs. The Tamil Nadu Waqf Board, Represented by its Chief Executive Officer, No.1, Jaffer Syrang Street, Vallal Seethakathi Nagar, Chennai and another* reported in **2023 (2) LW 258**, wherein, it has been held that the Wakf Board may not have authority to conduct elections nor can the Wakf Board insist that the elections be conducted under its supervision or in the presence of its officials. The said decision has been consistently followed by this Court in the following judgments:



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i) *Shajahan Vs. The Tamil Nadu Waqf Board and others – W.P. (MD).No.20031 of 2023 dated 31.08.2023,*

ii) *A.Mohammad Mubarak Vs. The Tamil Nadu Waqf Board and another – W.P.No.22010 of 2023 dated 08.09.2023,*

iii) *S.A.K.Ibrahim Vs. The Chief Executive Officer, Tamil Nadu Waqf Board and others – W.P.Nos.16712 of 2020 and 29451 of 2023 dated 15.11.2023,*

iv) *N.Mohammed Ali Jinna Vs. The Tamil Nadu Waqf Board and others – W.P.(MD).No.25585 of 2022 dated 07.06.2024.*

3. Therefore, following the same, this Court finds that the prayer in the Writ Petition is not sustainable, inasmuch as the Waqf Board may not have the jurisdiction to conduct the elections and thus liable to be dismissed.

4. Accordingly, this Writ Petition stands dismissed. No costs.

20.09.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr



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To:

WEB COPY

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MOHAMMED SHAFFIQ, J.

Nsr

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