



2025:KER:23348

WP(C) NO. 6463 OF 2025

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE AMIT RAWAL

&

THE HONOURABLE MR. JUSTICE K. V. JAYAKUMAR

TUESDAY, THE 18TH DAY OF MARCH 2025 / 27TH PHALGUNA, 1946

WP(C) NO. 6463 OF 2025

PETITIONER(S) :

- 1 M.P. ISMAIL
AGED 58 YEARS,
S/O ABDURAHIMAN,
RESIDING AT AYISHA MANZIL',
P.O. KALLIASSERI, KALLIASSERI AMSOM DESOM,
KANNURIAI, PIN - 670562
- 2 SHADULI K.M,
AGED 70 YEARS,
S/O ASSAINAR, RESIDING AT 'THANJOOS',
POST KALLASSERI, KANNUR, PIN - 670562

BY ADV R.RAMADAS

RESPONDENT(S) :

- 1 KERALA STATE WAQF BOARD
REPRESENTED BY ITS CHIEF EXECUTIVE OFFICER,
V.I.P. ROAD, KALOOR,
KOCHI, PIN - 682017
- 2 THE DIVISIONAL OFFICER
KERALA STATE WAQF BOARD, DIVISIONAL OFFICE,
KANNUR, PIN - 670012
- 3 MANGAD NOORUL HIDAYA COMMITTEE
MANGAD JUMA ATH, P.O. KALLIASSERI,
KANNUR DISTRICT,
REPRESENTED BY ITS SECRETARY., PIN - 670562



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4 *THE SECRETARY*
MANGAD NOORUL HIDAYA COMMITTEE,
MANGAD JUMA ATH, P.O. KALLIASSERI,
KANNUR DISTRICT, PIN - 670562

BY ADVS.
FIROZ K.M.
SRI JAMSHEED HAFIZ SC WAQF

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 18.03.2025, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:



JUDGMENT

AMIT RAWAL, J.

1. Two orders Exts.P1 and P4 dated 13.11.2024 and 18.12.2024 of the Wakf Board have been challenged in the present writ petition by the petitioners - the erstwhile Secretary and Treasurer of the Committee. The election petition is stated to be pending before the Tribunal as both the petitioners have lost in the aforementioned elections. It is a matter of record that the part of the Masjid for widening of National Highway was demolished and a compensation amount has been deposited with the Wakf Board. On account of widening of National Highway, sanction is required for reconstruction as well as renovation. Report of the concerned Divisional Officer was obtained on both accounts. Accordingly, the Kannur, Divisional Officer submitted a report dated 07.10.2024 with regard to the renovation and dated 06.12.2024 with regard to re-construction. Wakf Board took decisions on 05.11.2024 and 10.12.2024 and in pursuance of



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the aforementioned, the Chief Executive Officer has released the fund of Rs.18,20,000/- for renovation and Rs.1,10,00,000/- (Rupees one crore ten lakhs only) for reconstruction. The argument that two different orders have been passed by increasing the amount is an attempt to squander away the money of the Wakf Board, in our considered view, is not sustainable as both are on different heads based upon the reports of the Divisional Officer which have not been challenged much less the decision of the Board sanctioning the amount aforementioned dated 05.11.2024 and 10.12.2024.

The petition is bereft of the merits, accordingly dismissed.

Sd/-

**AMIT RAWAL
JUDGE**

Sd/-

**K. V. JAYAKUMAR
JUDGE**

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APPENDIX OF WP(C) 6463/2025

PETITIONER EXHIBITS

- Exhibit P1* *TRUE COPY OF THE ORDER DATED 13.11.2024
ISSUED BY THE WAKF BOARD WITH ENGLISH
TRANSLATION OF THE SAME*
- Exhibit P2* *TRUE COPY OF THE REPRESENTATION ON
13.08.2024 BEFORE THE DIVISIONAL
OFFICER OF THE WAQF BOARD, KERALA STATE
WAQF BOARD DIVISIONAL OFFICE, KANNUR
FILED BY THE 2ND PETITIONER WITH
ENGLISH TRANSLATION OF THE SAME*
- Exhibit P3* *TRUE COPY OF THE MASS REPRESENTATION
DATED 11.09.2024 BEFORE THE 2ND
RESPONDENT FILED BY THE PETITIONERS AND
OTHER MAHAL MEMBERS WITH ENGLISH
TRANSLATION OF THE SAME*
- Exhibit P4* *TRUE COPY OF THE ORDER DATED 18.12.2024
PASSED BY THE KERALA STATE WAQF BOARD
ALONG WITH THE ENGLISH TRANSLATION OF
THE SAME*