



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 04.09.2025

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THE HON'BLE MR. JUSTICE M.DHANDAPANI

**W.P. No. 33883 of 2025
and W.M.P. No.38018 of 2025**

Sadiq Batcha

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Petitioner

-vs-

1. The Tamil Nadu Wakf Board,
Rep. By its Chief Executive Officer,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai-1.

2. The Superintendent of Waqfs
Coimbatore Region,
Dakhni Mosque, Mettupalayam,
Coimbatore.

3. The Inspector of Police,
Mettupalayam,
Mettupalayam, Coimbatore District.

4. M.Kunju Mohammed

5. A.J.Mohamed Sharif

... Respondents

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 & 2 to ensure that the elections for the Administrative Committee of Madharasa & Masjidul Aqsa Sunnath Vel Jamath Masjid, Mettupalayam are not conducted at any time without submitting draft by-laws to the Tamil Nadu Wakf Board for approval.

For Petitioner : Mr. P.A.Sai Govindaraja

For Respondents : Mr. S.Balaji, GA (Crl. Side) R3
Mr.G.Mohammed Aseef, RR1 & 2



ORDER

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The petition has been filed seeking a direction the respondents 1 & 2 to ensure that the elections for the Administrative Committee of Madharasa & Masjidul Aqsa Sunnath Vel Jamath Masjid, Mettupalayam are not conducted at any time without submitting draft by-laws to the Tamil Nadu Wakf Board for approval.

2. The case of the petitioner is that he is serving as Secretary of the Madharasa & Masjidul Aqsa Sunnath Val Jamath Masjid, Mettupalayam. The masjid is a registered waqf. On 07.08.2025, the 4th respondent along with some members of the above said political party, pressured that elections should be conducted for appointing a new administrative committee of the Masjid, proposing to conduct elections on 05.09.2025 in a Mahasabha meeting to elect new administrative committee of the Masjid. Therefore, the petitioner sends a letter dated 25.08.2025 to the second respondent requesting to president over the elections which are proposed to be conducted on 05.09.2025 and the second respondent sent letter dated 28.08.2025 stating that the Masjid should send the draft bylaws to the Tamil Nadu Wakf Board for approval. After approval, the Masjid can elect new members in a meeting presided over by the officers of the Wakf Board. The 4th respondent is now planning to conduct elections in the



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masjid on 05.09.2025 with the support of the 5th respondent. Hence, the present writ petition has been filed seeking a direction against the respondents to ensure the election for the administrative committee of the above said masjid are not conducted at any time, without submitting draft bylaws for approval to the Waqf Board.

3. Learned Standing Counsel appearing on behalf of the respondents submitted that there is an effective remedy available before the Wakf Tribunal with regard to the subject matter. Hence, the claim made by the petitioner cannot be considered before this Court.

4. Heard the learned counsel on either side and perused the materials available on record.

5. The petitioner is the Secretary of the above said masjid. The election has been fixed by the Administrative Committee on 05.09.2025. This Court is unable to understand that when the petitioner is being the Secretary of the said Masjid, he must know the election date that was fixed on 05.09.2025. However, he made a representation on 02.09.2025 to the respondents prior three days to the election, which is not impermissible. However, as rightly pointed out by



M.DHANDAPANI,J.

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the learned counsel for the respondent, there is an effective alternative remedy available before the Wakf Tribunal for this issue. Without approaching the Wakf Tribunal, the petitioner has filed the present writ petition, which is not sustainable.

6. Accordingly, this writ petition is dismissed. No order as to costs. Consequently, connected miscellaneous petition is closed. However, liberty is granted to the petitioner to work out his remedy in the manner known to law.

04.09.2025

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Index: Yes/No

To

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