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W.P.No.42327 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2025

CORAM

THE HONOURABLE Mr.JUSTICE P.B. BALAJI

W.P.No.42327 of 2025

M.Abdul Lathif

.....Petitioner

Vs

The TamilNadu Wakf Board,
Rep by its chief Executive Officer,
No.1, Jaffer Syrang Streert,
Vallal Seethakathi Nagar, Chennai-1

....Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to record the change in management of the Karumbukadai Sunnath Jamath Mosque Wakf as per Section 42 of the Unified Wakf Management, Empowerment, Efficiency and Development Act, 1995 (UMEED Act, 1995) and issue necessary communication to the petitioner as sought vide representation dated 04.10.2025.

For Petitioner :Mr.NA.Nissar Ahmed, Senior Counsel
for M/s.I.Kowser Nissar

For Respondent: No Appearance

ORDER



that, in obedience of the order in the writ petition pending contempt, the elections were held on 21.09.2025 and results were declared on 22.09.2025.

4. The learned Senior Counsel would submit that the Board has not recognized the said results by recording the election and its results under Section 42 of the Wakf Act. The learned senior counsel also relied on the decision of this Court in W.P.No.18959 of 2022 dated 19.10.2022 wherein this Court has held that the Wakf Board is a neutral body and has no power to countermand an election conducted by the general body and once the election is held, the role of the Wakf is confined to recognizing the elected body, besides exercising the general power of superintendence over the Wakf under Section 32 of the Wakf Act, 1995. Hence, he prayed for the issuance of a writ mandamus.

5. It is seen that, pursuant to the contempt proceedings, the elections were held and the results were declared on 22.09.2025. The petitioner has been elected as President of the Karumbukadai Sunnath Jamath Mosque. Despite the petitioner communicating the same to the



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respondent on 04.10.2025, the same has not been recorded by the Wakf Board. As held by this Court in the decision stated supra, the Wakf Board being a neutral body is bound to recognize the elected body and cannot raise objections. The elections having been conducted in compliance with the directions of this Court in W.P. No.11113 of 2025, there is no impediment for the respondent to recognize the duly elected representatives.

6.In the light of the above, the Writ Petition is allowed. The respondent shall record the factum of the duly elected representatives of the Karumbukadai Sunnath Jamath Mosque within a period of two weeks from the date of receipt of a copy of this order. No costs.

17.11.2025

Index : Yes/No
Speaking Order : Yes / No
srn

To

P.B. BALAJI, J,



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