



W.P.(MD)No.9662 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.9662 of 2025

and WMP (MD) No.7203 of 2025

1. Mohammed Yousuff

2. Mohamed Yusuf

: Petitioners

Vs.

1. The Chairman,
Tamil Nadu Wakf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

2. Tamilnadu Wakf Board,
Rep. by its Chief Executive Officer,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

3. The Wakf Superintendent,
Tamilnadu Wakf Board,
D.No. 159/3,
Tharppasayanam Road,
Vellipattinam,
Ramanathapuram - 623 504.



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4. Islamiya Uravin Murai Trust,
Board,, Rep. by its President,
Veeracholan Village- 626 618,
Virudhunagar District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to conduct election to the Jamaat functioning under the name and title veeracholan islamia uravin murai trust board, Thiruchuli taluk, Virudhunagar District, by preparing a fresh electoral roll with all eligible members and to conduct election under secret ballot system and to video graph the entire election exercise under proper security arrangements and submit a report before this Honourable Court .

For Petitioner : Mr. Sugumar

for M/s.APN Law Associates,

For Respondents : Mr.D.S.Haroon Rasheed

Standing Counsel for R1 to R3

ORDER

This writ petition has been filed for issuance of a writ of mandamus, to conduct election to the Jamaat functioning under the name and title 'Veeracholan Islamia Uravin murai Trust Board', Thiruchuli taluk, Virudhunagar District, by preparing a fresh electoral roll with all eligible members and to conduct election under secret ballot system and



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to video graph the entire election exercise under proper security arrangements and with a report to be submitted thereafter.

2.The learned counsel for the petitioners submitted that more than 4,000 voters are eligible to cast their votes for the executive body of the fourth respondent Jamaat. The current executive body assumed office on 29.09.2022 without following the secret ballot procedure. The petitioners' grievance is that the continuation of the executive body without a proper election will result in chaos, leading to mismanagement and defective administration. Therefore, they argue that it is necessary to appoint an advocate commissioner to prepare the voter list and conduct the elections.

3. The learned Standing Counsel appearing on behalf of the respondents, on instructions, submitted that the very same issue has already been decided by this Court in CRP (MD) No.2079 of 2022, dated 19.04.2023. However, the petitioner is filing one petition after another for the same relief.



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4. Heard the learned counsels on either side and carefully perused the entire materials available on record.

5. A perusal of record reveals that, admittedly, the petitioner had filed an earlier writ petition in W.P.(MD) Nos.13695 of 2020 etc., batch along with CRP (MD) No.2079 of 2022 and this Court by its order dated 19.04.2023, categorically held that the Board/CEO does not have the power/authority to conduct elections. However, the petitioner has filed the present writ petition, once again seeking a direction to the Chief Executive Officer to conduct election, which is nothing but an abuse of process of law. Therefore, this Court is not inclined to entertain the writ petition on this ground alone.

6. Accordingly, this writ petition stands dismissed. However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

07.04.2025

Index : Yes / No

Internet : Yes / No

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VIVEK KUMAR SINGH, J.

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