



W.P.(MD) No.17087 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 25.06.2025

CORAM

THE HON'BLE MR.JUSTICE C. SARAVANAN

W.P.(MD) No.17087 of 2025

and

W.M.P.(MD) Nos.12958 and 12960 of 2025

R.Ali Masthan

... Petitioner

Vs.

- 1.The Tamil Nadu Waqf Board,
Rep. by its Chairman,
No. 1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai 600 001
- 2.The Chief Executive Officer,
Tamil Nadu Waqf Board,
No. 1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai 600 001
- 3.Senjai Muslim Jamath Pallivasal Waqf,
C.M.C. Road,
Senjai, Karaikudi Post and Taluk 630 001,
Sivagangai District.

4.K.Pakkir Mohamed

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, forbearing the first respondent



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from approving the illegal committee announced by the fourth respondent for the Senjai Muslim Jamath Pallivasal Waqf.

For Petitioner : Mr.M.M.I.Khaleel

For R1 & R2 : Mr.K.Jeyamohan
Standing Counsel

For R4 : Mr.M.Mahaboob Athiff

ORDER

This writ petition has been filed for a Mandamus to forbear the first respondent from approving the illegal committee announced by the fourth respondent for the Senjai Muslim Jamath Pallivasal Waqf.

2. The petitioner was the erstwhile Secretary of the Senjai Muslim Jamath Pallivasal Waqf. It is the case of the petitioner that the last election was conducted by the third respondent wakf on 17.07.2016 in accordance with the proforma of the subject Wakf as per which the Rule of succession that the office is by election conducted by the Muslim jamath of Senaji, Karaikudy. It is submitted that an attempt was made in the year 2022 to hold an election. However, one of the electoral Officers was suspended on account of corruption charges and therefore, the election did not take place in the year 2022. The election was held on 29.09.2024. The

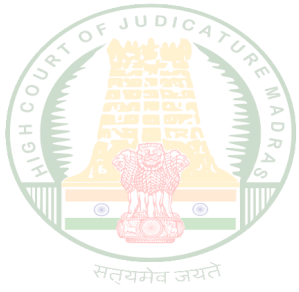


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petitioner was declared as the Secretary of the Wakf, along with the other officer bearers. On the other hand, the fourth respondent claims that he was elected as the President on 26.09.2024.

3. The election to the office bearers of the wakf has to follow with an application for recognizing under Section 42 of the Wakf Act, 1995. The petitioner claims to have filed an application under Section 42 of the Wakf Act. On the other hand, the fourth respondent has filed an application under Section 42 of the Act on 26.09.2024.

4. Considering the same, this Court is inclined to direct the official respondents to examine whether the petitioner and the fourth respondent have filed any applications for recognition under Section 42 of the Wakf Act, 1995. If such applications have been filed, the official respondents are directed to consider and dispose of the same after hearing the petitioner and the fourth respondent within a period of four weeks from the date of receipt of a copy of this order. In case the petitioner is aggrieved by the process adopted during the general body meeting on 26.09.2024, it is open to the petitioner to approach the Wakf Tribunal seeking to set aside the election purportedly held on 29.09.2024.



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5. With the above liberty, the writ petition stands disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

25.06.2025

Sn

Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes/No

Speaking Order / Non-Speaking Order

To

- 1.The Chairman,
The Tamil Nadu Waqf Board,
No. 1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai 600 001
- 2.The Chief Executive Officer,
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C.SARAVANAN, J.

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