



WEB COPY

WP No. 9958 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-02-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 9958 of 2025

AND

WMP NO. 11150 OF 2025, WMP NO. 11151 OF 2025

J.M.H.Aassan Maulaana

..Petitioner(s)

Vs

1. The Joint Secretary
Ministry Of Minority Affairs, 11th Floor, Pt
Deenadayal Antyodaya Bhawan, Cgo Complex
Lodhi Road, New Delhi 110 003.
2. The Chairman
The Haj Committee Of India, Baitul Jujjaj Haj
House, 7a, Mra Marg Palton Road, Mumbai
400 001.

..Respondent(s)

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus to call for records on the file of the 1st respondent in Gazettee notification S no. 4368 (E) 08.10.2024 and quash it as illegal and irregular and further direct the respondents to notify the petitioner appointment as a member of the Haj committee of India until 08.10.2027.



For Petitioner(s): M/s.V.Srimathi

For Respondent(s): Mr.A.Zakir Hussain, CGSC for R.1

ORDER

The above Writ Petition has been filed challenging the Gazette Notification dated S.No.4368(E) dated 08.10.2024 as illegal and to direct the respondents to notify the petitioner's appointment as a member of the Haj Committee of India until 08.10.2027.

2. The petitioner's contention is that he is Member of the legislative assembly of the State of Tamilnadu. On 17.08.2024, the Ministry of Minority Affairs, Haj Division had issued an office memorandum to conduct an election for Zone-VI (Tamilnadu, Karnataka, Union Territory of Pondicherry and Union Territory of Lakshadweep) to elect one candidate as the Member of Haj Committee of India. The election was held on 28.08.2024 at the office of the 1st respondent and the petitioner was elected in Zone VI as per Section 4(iii) of the Haj Committee Act, 2002. On 18.10.2024, he was appointed as Member of Haj Committee of India, vide impugned notification. However, the term granted to him only till 31.03.2025.



3. The petitioner would submit that the impugned notification refers to an amendment to a notification bearing No.S.O.1564 (E) dated 01.04.2022 wherein in Serial No.9 indicated as “*yet to be elected*”. For nearly two and a half years no election was conducted which is evident from the records. The petitioner would submit that the limitation of the petitioner’s tenure to a period of six months is contrary to the statute and appears to be an attempt to regularize the improper constitution of the Committee. The petitioner was entitled to hold office for a period of three years. Therefore, the petitioner has filed the present writ petition.

4. When the matter had come up for hearing on 25.03.2025, this Court had directed the Central Government Counsel to get instruction as to why the term of the office of the petitioner has been restricted to 31.05.2025. Though this Court had directed them to file a counter in this regard, the counter has not been filed but the explanation as sought for on 25.03.2025 has been provided for in the form of two Gazette Notifications.

5. A perusal of the 1st Gazette Notification dated 01.04.2022 would indicate that in exercise of the powers conferred under Sections 3, 4, 5, 6 and 8 of the Haj Committee Act 2002, the Central Government had appointed members for a period of 3 years from the date of the publication of the



notification. Against the members elected under Clause (ii) of Section 4 of the Act from Serial Numbers 4 to 12 which has been stated that they are yet to be elected. Thereafter, the impugned notification would state that the petitioner has been appointed under Serial No.9 of the list of members. Therefore, the petitioner's election is in accordance with the notification issued on 01.04.2022, which has not been challenged by the petitioner.

6. Therefore, taking into account the fact that, as per the earlier notification, the term of office of the petitioner was fixed until 31.03.2025, and that the impugned order is only a sequel to the earlier order, the impugned order cannot be called into question. Further, the petitioner's term of office has now come to an end.

7. In view of the above, this Writ Petition stands dismissed. No costs. Consequently, the connected Miscellaneous Petitions are closed.

23-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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- To
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