

W.P(MD)No.8535 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated: 27.03.2026

CORAM

**THE HONOURABLE MR JUSTICE D.BHARATHA
CHAKRAVARTHY**

W.P(MD)No.8535 of 2026

and

W.M.P(MD).Nos.6922 and 6924 of 2026

P.N.M.Moulal Ghowmy

... Petitioner

Vs.

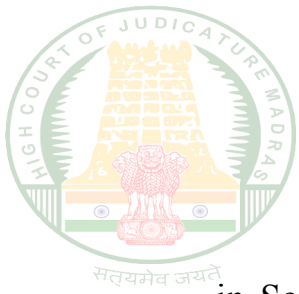
1. The Tamil Nadu Waqf Board,
Rep., by its Chairman,
No.1, Jaffar Sarang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

2. The Chief Executive Officer,
Tamil Nadu Waqf Board,
No.1, Jaffar Sarang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

3. The Superintendent of Wakf,
Tirunelveli Zone,
Tirunelveli.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Certiorarified Mandamus calling for
the records relating to the impugned proceedings of the 2nd respondent



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in Se.Mu.Aanai.444008/A1/ThiVeli, dated .03.2026 appointing an Ad-hoc Committee to administer Meerasha Andavar Mela Jumma Pallivasal Wakf, Puliangudi (G.S.No. 231/TNV) and quash the same as illegal, arbitrary and without jurisdiction and consequently direct the respondents 1 to 3 to conduct election to the Managing Committee of the Wakf strictly in accordance with the approved Bye-law by secret ballot, within a time frame fixed by this Honble Court and permit the petitioner committee to continue to administer the Wakf till the newly elected committee assumes office and pass such other or further orders as this Honble Court may deem fit and proper in the circumstances of this case and thus render justice.

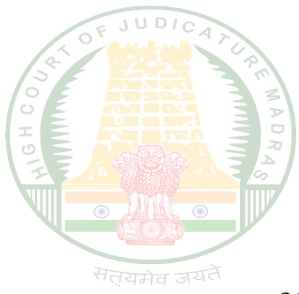
For Petitioner
For R1 to R3

:Mr.M.Saravanan
:Mr.D.S.Haroon Rasheed
Standing Counsel

ORDER

The present writ petition has been filed for the following relief:-

“Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned proceedings of the 2nd respondent in Se.Mu.Aanai. 444008/A1/ThiVeli, dated .03.2026 appointing an Ad-hoc Committee to administer Meerasha Andavar Mela Jumma Pallivasal Wakf, Puliangudi (G.S.No. 231/TNV) and quash the same as illegal, arbitrary and without jurisdiction and consequently direct the respondents 1 to 3 to conduct election to the Managing Committee of the Wakf strictly in accordance with the approved Bye-law by secret ballot, within a time frame fixed by this Honble Court and permit the petitioner committee to



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continue to administer the Wakf till the newly elected committee assumes office and pass such other or further orders as this Honble Court may deem fit and proper in the circumstances of this case and thus render justice.”

2. Heard Mr.M.Saravanan, learned counsel appearing for the petitioner and Mr.D.S.Haroon Rasheed, learned Standing Counsel, who takes notice on behalf of the respondents.

3. The learned counsel appearing for the petitioner would submit that the approved By-law, particularly Clause X, stipulates that elections to the next governing body should be conducted through a secret ballot.

4. He would further submit that there are 600 members in the Wakf Board and a duly approved list taking into account the payment of subscriptions has been submitted on time to the Wakf Board. However, the Wakf Board, without sending their representative and conducting an election, has wrongly constituted an Ad-hoc Committee. Additionally, the Wakf Board runs two aided schools and there are concerns that the formation of the Ad-hoc Committee may lead to problems such as the displacement of the educational agency.



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5. That apart, he would submit that the Ad-hoc Committee should not interfere with the regular functioning of the other authorities with regard to the schools and other properties.

6. Per contra, the learned Standing Counsel appearing on behalf of the respondents would submit that they will conduct an election as soon as possible. According to the scheme, it is only the Ad-hoc Committee that should manage the affairs of the Wakf Board once the term expires. An earlier attempt to conduct the election in February was postponed due to a law and order issue.

7. The relevant portion of the approved By-law reads is extracted hereunder for ready reference:-

“9. நிர்வாக சபை தேர்தலுக்கு போட்டியிடுவதற்கு தகுதி வாய்ந்த நபர்கள் 3 வருடங்கள் தொடர்ந்து சந்தா செலுத்துபவராக இருக்க வேண்டும். சந்தா தொகை நிலுவையில் இருந்ததால் போட்டியிடத்தகுதி பெற மாட்டார்கள். வேட்பாளரை முன்மொழிபவர்களும், கூரி மொழிபவர்களும் முறைப்படி சந்தா செலுத்துபவராக இருக்க வேண்டும்.



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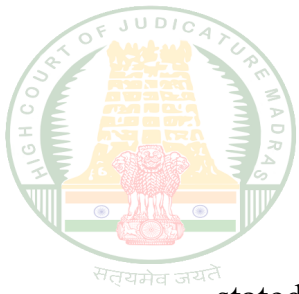
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10. ரகசிய வாக்கெடுப்பு முறையைப் பின்பற்றி புதிய நிர்வாக சபைத் தேர்வு செய்யப்படும் வரை, நிர்வாகத்தை தற்காலிகமாகக் கவனிக்க மூன்று நபர்கள் கொண்ட ஒரு அட்-ராக் கமிட்டியை வக்ஃப் வாரிய முன் அனுமதியுடன் பொதுக்குழு உடனடியாக நியமிக்க வேண்டும். அட்-ராக் கமிட்டியின் பதவிக்காலம் இரண்டு மாதங்களாகும். தேவை ஏற்பட்டால், வக்ஃப் வாரியம், புதிய அட்-ராக் கமிட்டியை நியமிக்கலாம்.

11. நிர்வாக சபையின் பதவிக்காலம் முடிந்த பின் எக்காரணத்தைக் கொண்டும் பதவியில் தொடரக்கூடாது.

தேர்ந்தெடுக்கப்படும் புதிய நிர்வாக சபையிடம் பொறுப்புகளையும் அனைத்து வக்ஃப் ஆவணங்களையும் ஒப்படைக்க வேண்டும்.”

7. Thus, it can be seen that the petitioner is correct in contending that the election should be conducted by secret ballot and should take place at the earliest. However, it must also be noted that the approved By-law itself specifies that a committee whose term has expired should not continue and that the affairs should be managed by an Ad-hoc Committee in the interim. Therefore, the appointment of the Ad-hoc Committee need not be interfered with. It is however, emphasized that the Ad-hoc Committee cannot take any major policy decisions. Its role is limited to ensuring that the day-to-day activities continue smoothly until the election is concluded and nothing more. Since it has already been

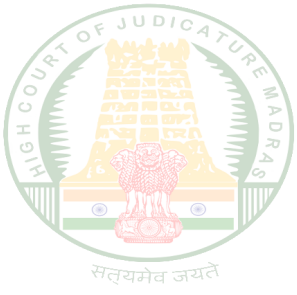


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stated that the eligible voter list is ready, it shall be published within two weeks from the receipt of a web copy of this order, without waiting for the certified copy.

8. The Superintendent of the Wakfs shall issue the notification of election schedule. All draft voter lists shall be displayed on the Wakf Board's notice board by a specified date, and the final voter list shall be published a week thereafter. The dates for inviting nominations, withdrawal of nominations, and the polling date shall also be fixed. A composite notification shall be issued within two weeks from the receipt of a web copy of the order. The election date shall be set after the general election on 23.04.2026, and the election shall be conducted as soon as possible, with the results declared and the consequential approval orders passed. In any event, the entire process must be completed on or before 15.05.2026.



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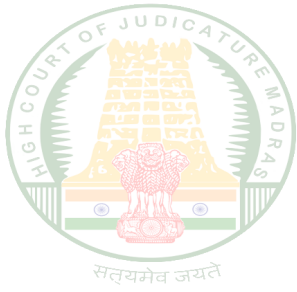
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9. It is further stated that if any law and order issues or interference arise, a letter shall be issued by the Superintendent of Wakf to the jurisdictional Police Station, which shall provide adequate security to ensure the smooth conduct of the elections.

10. The writ petition stands allowed in terms of the above observations and directions. No costs. Consequently, connected miscellaneous petitions are closed.

27.03.2026

NCC:Yes/No
rgm



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D.BHARATHA CHAKRAVARTHY, J.

rgm

To

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Rep., by its Chairman,
No.1, Jaffar Sarang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.
2. The Chief Executive Officer,
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