



WP(C) NO. 13973 OF 2025

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2025:KER:31842

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE AMIT RAWAL

&

THE HONOURABLE MR. JUSTICE K. V. JAYAKUMAR

WEDNESDAY, THE 9TH DAY OF APRIL 2025 / 19TH CHAITHRA, 1947

WP(C) NO. 13973 OF 2025

PETITIONER(S) :

SHAUKATHALI
AGED 35 YEARS
S/O.HAMZA, THOTTASSERY HOUSE, KANNANGUNDU,
ALANELLOOR PO, PALAKKAD, PIN - 678601

BY ADVS.
K.MOHANAKANNAN
NAVANEETH D.PAI

RESPONDENT(S) :

- 1 KERALA STATE WAQF BOARD
REPRESENTED BY CHIEF EXECUTIVE OFFICER VIP ROAD,
KALOOR, KOCHI, ERNAKULAM, PIN - 682017
- 2 THE DIVISIONAL WAQF OFFICER
MALAPPURAM, KSEB COMPLEX, CALICUT ROAD, MANJERI,
MALAPPURAM, PIN - 676121
- 3 DISTRICT COLLECTOR
CIVIL STATION, PALAKKAD DISTRICT, PIN - 678001
- 4 STATION HOUSE OFFICER
NATTUKAL POLICE STATION NATIONAL HIGHWAY 213,
NATTUKAL, PALAKKAD, PIN - 678554



- 5 THE PRESIDENT
KANNANGUNDU JUMUATH PALLI AND MIRANUL JINAN
MADARASSA COMMITTEE, ALANELLOOR PALAKKAD, PIN -
678601
- 6 THE SECRETARY
KANNANGUNDU JUMUATH PALLI AND MIRANUL JINAN
MADARASSA COMMITTEE, ALANELLOOR PALAKKAD, PIN -
678601

OTHER PRESENT:

SRI T K VIPINDAS SR GP SRI JAMSHEED HAFIZ SC WAQF

THIS WRIT PETITION (CIVIL) HAVING BEEN HEARD ON
09.04.2025, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:



JUDGMENT

Amit Rawal, J.

Considering the predicament of the petitioner, we had on 4.4.2025 passed the following order:

Inter alia, alleges that the petitioner is a member of the Jamaath committee of respondents 5 and 6. Along with other members, were expelled and on complaint filed before the Board, vide Ext.P1 order dated 07.12.2024, the membership was ordered to be restored, but respondents 5 and 6 are not implementing it. 2. It is further contended that though as per Section 28 of the Waqf Act, 1995, the petitioner has to approach the Waqf Board, there is requirement to submit an application to the District Collector for implementation. In the instant case, the petitioner has moved an application to the District Collector. 3. Adv.Jamsheed Hafiz, Standing Counsel takes notice for respondents 1 and 2. Adv. Vipindas learned Government Pleader, takes notice for respondents 3 and 4. Issue notice before admission to respondents 5 and 6 through special messenger. Post on 08.04.2025.

2. The short grievance of the petitioner is that despite having submitted an application to the District Collector for implementation of the order restoring the membership of the petitioner, no action has been taken.

3. The District Collector has given an intimation that a meeting for consideration of the request of the petitioner will be convened for next week.



4. It is expected that in the ensuing meeting, Deputy Collector shall take a call as already ordered for restoring the membership far back on 7.12.2024. It is made clear that in case no concrete decision is taken, we will be constrained to call the explanation of the District Collector.

In this view of the matter, we dispose of the petition with a liberty to revive the matter, in case something survives.

Sd/-
AMIT RAWAL
JUDGE

sab

Sd/-
K. V. JAYAKUMAR
JUDGE



APPENDIX OF WP(C) 13973/2025

PETITIONER EXHIBITS

- | | |
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| Exhibit P1 | TRUE COPY OF THE ORDER DATED 7-12- 2024
IN EP 3942/2024 OF KERALA STATE WAQF
BOARD |
| Exhibit P2 | TRUE COPY OF THE REPRESENTATION DATED
18- 2-2025 SUBMITTED BEFORE THE DISTRICT
COLLECTOR, BY THE PETITIONER AND OTHERS |
| Exhibit P3 | TRUE COY OF THE REPRESENTATION DATED 17-
3-2025 BY REGISTERED POST WITH
ACKNOWLEDGEMENT DUE AND IT WAS RECEIVED
BY THE WAQF BOARD ON 18-3-2025 |