

**A DIARY**  
**Dated: 06.05.2024**

1.	<p>OP No. 102/2022 Pappanamkode Muslim Jama-ath, Thiruvananthapuram</p> <p>The petitioner herein had filed this OP under Sections 32, 33, 34, 38, 47, 61, 64, 69 &amp; 70 of the Waqf Act 1995 seeking for a direction to frame a scheme for the administration and management of Jama-ath, conduct audit of the accounts, conduct election to the management through secret ballot system, take steps against the Committee for not complying the order no. A3-3705/CR dated 8.11.2021 of Waqf Board, conduct inspection on misappropriations done by respondents 2 to 4 and take steps to recover the misappropriated amount from them, appoint Executive Officer for the management of the Waqf properties and remove the respondents 2 to 4 from Muthawalliship.</p> <p>The petitioner had raised several allegations regarding the mismanagement of the Waqf and also about the intention of the committee for not complying the orders of Board, Kerala Human Rights Commission, and Hon'ble Collector so as to wreck vengeance against the petitioner. On the basis of the said petition, notices were issued to respondents to appear before the board and submit their version. However, respondents failed to appear before the Board and hence the respondents were set ex-parte. Later, the respondents filed petition to set aside Ex-parte order which was allowed on cost and the matter was posted for steps. At that time the petitioner had filed a petition to withdraw the Original Petition. On perusal of the file it is seen that one of the prayer is to conduct audit of accounts of the waqf and hence the Board cannot close this matter keeping the eyes shut. The Divisional Waqf Officer shall take necessary steps for auditing the accounts of this waqf for the period from 2019-20 to 2023-24. As the petitioner is not intending to proceed this matter further this file stands closed.</p>
2.	<p>OP No. 10/2022 Vallakkadav Muslim Jama-ath, Thiruvananthapuram</p> <p>The said O.P. is filed by the petitioners herein for getting an order to conduct election to the General Council and Managing Committee of Vallakkadavu Muslim Jama-ath for the period 2022 to 2025 through secret ballot after preparing a voters list of 5 wards of the jama-ath giving voting right to all male Muslims who attained the age of 18 years, through a Returning Officer to be appointed by the Waqf Board.</p> <p>The petitioners herein are the beneficiaries of the Vallakkadavu Muslim Jama-ath. The petitioners submitted that the period of Vallakkadavu Muslim Jama-ath Committee was expired on 20/1/2022. It is also alleged that the voters list used for election from 2009 onwards prepared before 25 years back. It is further alleged that the method of election adopted by the respondents caused the continuance of their monopoly in the administration of the jama-ath and thereby resulted</p>

mismanagement, maladministration and loss of jama-ath fund.

In the main O.P. an interim order dated 04.01.2023 was passed by the Board, appointing Adv. Manaccadu Bhadharudheen Koya as Returning Officer for conducting election. Returning Officer submitted 3 interim reports on 26.04.2023, 12.09.2023 and 28.10.2023. The Returning Officer reported that, he had initiated election process and requested concerned officers to hand over the documents of the Waqf. But the respondent, jama ath didn't ready to hand over the documents. Thereafter, as per the order of Honble Waqf Tribunal in OA No. 18/2023 dated 05.07.2023 the RO was directed to consider the grievances of the applicants regarding their eligibility of their membership in the matter of election of the Jama-ath. Hence RO prepared final voters list on 29.10.2023 after resolving all the objections, modifications and inclusions.

The Returning Officer submitted final report on 10.01.2024 and stated that he had completed election procedures peacefully. As per final voter's list there are 5291 voters in 5 wards. After that election notification was published on notice board of the jama ath on 29.10.2023 and 60 nominations received. Among 60 nominees 3 persons withdrew their nomination. Finally 57 candidates contested in the election. The election was scheduled on 03.12.2023 and the result also published on the very same day. 41 members were selected to general counsel and among them 7 members were chosen to the Jama-ath Committee.

From the report of the Returning Officer, there was no need for transfer of power or joint sitting as the former office bearers continued to be elected. There has been a very dignified co-operation from jama-ath members and petitioners to conduct the election process in a free and fair manner.

Returning Officer along with final report filed a petition to grant additional Bata. Altogether he travelled 22 days from Kollam to Trivandrum for the entire election procedure. Hence it is directed to the newly elected jamaath to grant additional batta of Rs. 40,000/-

Hence, the above O.P. file is closed with the above direction.

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| 3. | OP No. 54/2023 Kattumurakkal Muslim Jama-ath, Thiruvananthapuram<br>Order not ready. Posted to 11.06.2024 |
| 4. | OP No. 56/2023 Kattumurakkal Muslim Jama-ath, Thiruvananthapuram<br>Order not ready. Posted to 11.06.2024 |

5.	IA No. 201/20223 in OP No. 220/2023 Manjalloor Kundayam Hanafi Muslim Jama-ath, Kollam Order not ready. Posted to 11.06.2024
6.	OP No. 216/2023 Kumarapuram Muslim Jama-ath, Thiruvananthapuram Order not ready. Posted to 11.06.2024
7.	OP No. 130/2022 Kumarapuram Muslim Jama-ath, Thiruvnananthapuram Order not ready. Posted to 11.06.2024
8.	OP No. 02/2022 Pangod Puthen Pally Muslim Jama-ath, Thiruvananthapuram Order not ready. Posted to 11.06.2024
9.	OP No. 120/2021 Adoor Muslim Jama-ath, Pathanamthitta Order not ready. Posted to 11.06.2024
10.	OP No. 04/2022 Pangod Puthen Pally Muslim Jama-ath, Thiruvananthapuram Order not ready. Posted to 11.06.2024
11.	OP No. 174/2023 Kumarapuram Muslim Jama-ath, Thiruvananthapuram Order not ready. Posted to 11.06.2024
12.	<p>OP No. 128/2023 Kappukad Muslim Jama-ath Committee, Thiruvananthapuram</p> <p>The petitioner had filed the O.P. praying for restraining the respondents from interfering with the administration of the 1st Petitioner committee by the 2nd Petitioner and other committee members. The respondents 1,2, and 4 appeared on 25.07.2023 and the Board directed the respondents not to take any policy decision without the prior consent of the Board. While the matter was pending before the Board the petitioner had filed this present I.A.196/2023 seeking to appoint an executive officer for the above waqf under section 38 of the Waqf Act, 1995.</p> <p>The petitioner's case is that despite the Order passed by the Board, religious class is being conducted as a part of Milad shareef and collection is being done on account of construction without the approval of the Board. The Petitioner further alleged that the respondents was in habit of violating the order of the Board and thereby collecting huge amount in . different head without the approval o f the Board and hence requested to appoint ,gin Executive Officer for supervising the administration and for giving necessary directions to the committee.</p>

The respondents submitted counter denying all the allegations in the petition and submitted that there is no prayer in the main OP regarding appointment of Executive Officer. The respondents submits, that the above waqf ancient sunni waqf and only the Milad sharee program, Ratheeb, Molud and Nercha were conducted as usual in every year, receipts were given for the same and was included in the account statement also . Hence the respondent requested to dismiss the petition with cost.

In this matter Divisional Waqf Officer had passed an order directing to conduct audit of the accounts of the jama-ath for the period 2020-21 to 2021-22, but same could not be completed as the 2nd petitioner in the main D.P. who was the then secretary failed to pay the audit fee. But subsequently, the committee which was elected in the election held on 21-02-2023 had paid the audit fee. But, as the accounts for the said period is with the 2nd petitioner and the former president and even though notice was directed to them to produce the accounts for auditing they had not produced the same stating that accounts will be produced for auditing only after disposal of this case. In reply to that the Divisional Waqf Officer had informed the erstwhile president and secretary that the case before Board is not an obstruction to audit the accounts and hence, directed them to produce the documents for auditing. The 2nd petitioner herein is the secretary of the erstwhile committee.

The petitioners failed to substantiate any valid reasons for appointing an Executive Officer except some vague allegations. Also, the 2nd petitioner in the main O.P. is the erstwhile secretary who failed to submit accounts before the Board for auditing. In such circumstances, the first thing that is to be done is auditing of accounts till date and further action can be decided only after getting the audit report. The petitioner had not brought anything before this Board to conclude that it is necessary to appoint an Executive Officer for the interest of the waqf and the income limit of the waqf comes above the precondition for appointment of an Executive Officer under section 38 of the Waqf Act, 1995. Hence the IA stands dismissed.

13.	OP No. 102/2021 Nannathukav Pothenkode Muslim Jama-ath, Thiruvananthapuram Order not ready. Posted to 11.06.2024
14.	OP No. 112/2022 Kilikolloor Siyarathummood Muslim Jama-ath, Kollam Order not ready. Posted to 11.06.2024
15.	OP No. 02/2023 Kilimannor Central Muslim Jama-ath, Thiruvananthapuram Order not ready. Posted to 11.06.2024
16.	OP No. 32/2021 Kilikolloor Siyarathummood Muslim Jama-ath, Kollam Order not ready. Posted to 11.06.2024
17.	OP No. 10/2015 Rifayeen Juma Masjid, Kollam No objection endorsed by the petitioner in allowing the IA No. 216/2023. The petitioner in IA is impleaded as additional respondent. Office is directed to carry out amendment. Posted to 11.06.2024
18.	OP No. 46/2016 Palode Muslim Samajam, Thiruvananthapuram Notice to respondent served. No representation. Name called. Set exparte. For exparte affidavit. Posted to 11.06.2024
19.	OP No. 10/2019 Kollam Pattalath Pally, Kollam For filing chief affidavit. Posted to 11.06.2024
20.	OP No. 14/2020 Chilakkoor Muslim Jama-ath, Thiruvananthapuram For hearing. Posted to 11.06.2024
21.	OP No. 42/2021 Tajul Islam Jama-ath, Kollam R3 filed counter. For steps. Posted to 11.06.2024
22.	OP No. 26/2021 Umayanalloor Vadakkumkara Muslim Jama-ath, Kollam Respondent filed objection. For objection of the petitioner on audit report. Posted to 11.06.2024
23.	OP No. 28/2021 Vallakkadav Muslim Jama-ath, Thiruvananthapuram No instruction from the Petitioner. Counsel endorsed. For orders. Posted to 11.06.2024
24.	OP No. 92/2021 Edava Muslim Jama-ath, Thiruvananthapuram Executive officer present and reports that he has partly completed the enumeration for completing the process the earlier draft voters list will be helpful. Hence the Jama-ath is directed to forward the draft voters list and other documents to the executive officer with immediate effect. Posted to 11.06.2024
25.	OP No. 14/2022 Manakkad Valiya Pally Muslim Jama-ath, Thiruvananthapuram

	For proof affidavit of the respondent. Posted to 11.06.2024
26.	IA No. 228/2022 in OP No. 68/2013 Ochira Thanveerul Islam Sangham, Kollam For steps if any. Posted to 11.06.2024
27.	OP No. 64/2022 Thirumala Muslim Jama-ath, Thiruvananthapuram Notice issued to respondents to appear on 24.04.2024 as well as 06.05.2024. Notice served on R10. Notice to R1,2,3,4,5,6,8, 9, 11 returned unserved. Notice to R4 and R7 not returned. R1, R2, R3, R5, R6, R9 unclaimed. Name called. No representation. Set exparte. Issue fresh notice to R8 and R11. For return of notice. Posted to 11.06.2024
28.	OP No. 46/2022 Peyad Hidayathul Islam Muslim Jama-ath, Thiruvananthapuram Counter in IA No. 8/2024. For filing proof affidavit as last chance. Posted to 11.06.2024
29.	OP No. 184/2023 Thiruvananthapuram Valiya pally Muslim Jama-ath, Thiruvananthapuram IA No. 113/2024 for joint trail application. For counter. Mediation at 03:00 PM at Ernakulam on 07.05.2024
30.	IA No. 245/2023 in EP No. 2492/2018 Polayathode Pareediya Masjid Muslim Jama-ath, Kollam For petitioner Adv. D. B. Ajayan filed vakkalath. Statement filed. IA No. 109/2024 notice given. For counter. Posted to 11.06.2024
31.	OP No. 164/2023 Anchal Muslim Jama-ath, Kollam Petitioner filed application. IA No. 114/2024 to delete R6. Batta paid to issue notice against R5 and R12. R1 to 4 and 9 to 12 filed counter. For return of notice. Counter in IA No. 114/2024. Posted to 11.06.2024
32.	OP No. 100/2023 Chirayinkeezh Muslim Jama-ath, Thiruvananthapuram Counter filed. IA No. 115/2024 to conduct election. For final orders. Posted to 11.06.2024
33.	OP No. 62/2023 Karalikkonam Karakkal Muslim Jama-ath, Kollam Adv. Sheeba Jacob filed fresh vakkalath for the petitioner. For counter of R1 to R3. For hearing. Posted to 11.06.2024
34.	OP No. 188/2023 Kattumurakkal Muslim Jama-ath, Thiruvananthapuram Await audit report and for counter. Posted to 11.06.2024
35.	OP No. 272/2023 Punnala Muslim Jama-ath, Kollam Both parties presented and agreed to settle the matter. The petitioner has agreed to remit 3 years subscription to the committee and the committee shall revoke the suspension and readmit into the Jama-ath membership. Posted to 11.06.2024

36.	OP No. 248/2023 Manakkattupuzha Muslim Jama-ath, Kollam Adv. Ziyad appearing for respondents. For counter and mediation. Posted to 11.06.2024
37.	OP No. 196/2023 Thiruvananthapuram Valiya Pally Muslim Jama-ath, Thiruvananthapuram For mediation. Posted to 07.05.2024
38.	OP No. 162/2023 Thattamala Muslim Jama-ath, Kollam For orders. Posted to 11.06.2024
39.	EP No. 2987/19 Anappuzhakkal Muslim Jama-ath, Kollam For commission report. Posted to 11.06.2024
40.	OP No. 28/2024 Ithikkara Muslim Jama-ath, Kollam R1 and R2 appeared in person. For counter. Posted to 11.06.2024
41.	OP No. 38/2024 Perunkuzhi Muslim Jama-ath, Thiruvananthapuram Adv. Majeed appeared in person for petitioner. R1 and R2 appeared in person. No representation for R3. Name called. Set expate. Counter filed. Copy received. For mediation. Posted to 11.06.2024
42.	OP No. 44/2024 Mylappore Muslim Jama-ath, Kollam Adv. Jalaludheen filed vakkalath for R1 and R2. For counter and hearing. Posted to 11.06.2024
43.	OP No. 48/2024 Kilikolloor Thekkumkara Muslim Jama-ath Committee, Kollam Adv. Ajayan appeared for respondents. For production of documents and counter. Posted to 11.06.2024
44.	OP No. 02/2024 Balaramapuram Muslim Jama-ath, Thiruvananthapuram For counter and mediation. Posted to 11.06.2024
45.	OP No. 56/2024 Mavalli Muslim Jama-ath, Kollam Adv. Jabbar appeared for all respondents. Counter in IA No. 58/2024 filed along with documents. IA No. 110/2024 for auditing. IA No. 58/2024 heard. For orders. For counter in IA No. 110/2024. Posted to 11.06.2024
46.	OP No. 26/2024 Thirumala Muslim Jama-ath, Thiruvananthapuram Adv. Sithara filed memo not pressing the petition. OP closed.
47.	OP No. 170/2023 Sayed Usman Sahib Memorial Madrassa Masjid Noor Ul Islam Association, Thiruvananthapuram Counter filed. Copy given. For steps. IA No. 150/2024 along with OP. Posted to 11.06.2024
48.	OP No. 180/2023 Kollorvila Muslim Jama-ath, Kollam No affidavit filed. No representation. Name of the petitioner called. For orders. Posted to 11.06.2024

49.	OP No. 240/2023 N. M. A. Hanafy Jama-ath, Kollam For counter IA No. 256/2023 for production of documents by returning officer. The returning office shall personally present next posting with documents. Call on 11.06.2024
50.	OP No. 164/2023 Karamana Muslim Jama-ath, Thiruvananthapuram Proof affidavit filed. Adv. Amina Beevi is appointed as advocate commissioner to record evidence. Batta of Rs. 2000/- per witness per day. For commission report. Posted to 11.06.2024
51.	OP No. 02/2021 Kilikolloor Valiya pally Muslim Jama-ath, Kollam objection to audit report. Posted to 11.06.2024
52.	OP No. 68/2021 Shasthamkotta pallisserikkal Muslim Jama-ath, Kollam Petitioner not represented. Name called. For orders. Posted to 11.06.2024
53.	OP No. 110/2023 Kilikolloor Valiya Pally Muslim Jama-ath, Kollam Notice of R4 served. No representation. Name called. Set Exparte. For exparte affidavit. Posted to 11.06.2024
54.	OP No. 124/2023 Neeravil Muslim Jama-ath, Kollam Petitioner represented. No representation by the respondent. For affidavit. Posted to 11.06.2024
55.	OP No. 118/2023 Thiruvananthapuram Valiya Pally Muslim Jama-ath, Thiruvananthapuram For mediation. Posted to 07.05.2024
56.	OP No. 182/2023 Palayam Muslim Jama-ath, Thiruvananthapuram IA No. 34/2024 to set aside the expate order. Copy received by the respondent. No objection. Heard. Allowed on payment of cost of Rs. 2000/- as cost. For payment of cost. Posted to 11.06.2024
57.	OP No. 140/2023 Thattamala Muslim Jama-ath, Kollam For orders along with OP No. 162/2023. Posted to 11.06.2024
58.	OP No. 10/2024 Paravoor Muslim Jama-ath, Kollam R1 and R5 Adv. Brijith S Khan, R6 by Adv. A. K. Azad. Offered vakkalath for R1. Counter of R2 to 5 filed. For counter of R1 to R6. Posted to 11.06.2024
59.	OP No. 42/2024 North Mynagappally Muslim Jama-ath, Kollam For counter in OP. Posted to 11.06.2024
60.	OP No. 126/2022 Mylapore Muslim Jama-ath, Kollam Call on 11.06.2024
61.	OP No. 146/2017 Vanmeni Muslim Jama-ath, Kollam await records of Tribunal. Posted to 11.06.2024