

A DIARY
Dated: 24.04.2024

1. OP No. 26/2023 Alangad Muslim Jama-ath, Ernakulam

The petitioner herein Mr. Shafeer Muhammed had approached the Board by filing O P to direct the Jama-ath to remove the name of the petitioner from the list of defaulters and to include his name in the final voters list prepared for the election conducted in the year 2023.

The case of the petitioner is that soon after the expiry of the tenure of the Committee, the Waqf Board appointed a Returning Officer to conduct election (Exhibit P2) and the Returning Officer published an election notification on 08/02/2023. The petitioner submitted that the Returning Officer had published draft voters list in which the name of the petitioner was not included. Moreover, his name is included in the defaulter list with 136 defaulters and the name of the petitioner was shown as serial no. 136 with INR 75,000/- and a note in the column as "Waqf boad". After enquiry, it is found out that, Exhibit P7 audit report for the period of 2016-2017, in which the petitioner was the President, the panel auditor disallowed the legal expenses of Rs. 75,070/- stating the reason that the money was spent by the petitioner for affirming the power in the Jama-ath and hence the amount should be recovered from the petitioner personally. The petitioner alleged that his name has been removed from the draft voters list wilfully to keep him away from the election process.

Three different Interlocutory applications were filed along with the OP in which IA No. 37/2023 was filed by the petitioner for an order to stay the proposed general body meeting and the board restrained the respondents from taking any policy decision in the general body to be held on 17.02.2023. The prayer in IA No. 39/ 2023 was for an order to appoint an interim Muthavally in the jama-ath during the transition period of proposed election in 2023.

IA No. 38/2023 was filed by the petitioner to direct respondents to include the name of petitioner in the final voters list which was not allowed by the Board

and the petitioner approached Hon'ble High Court by filing OP (Waqf) No. 6 of 2023 in which Hon'ble High Court had passed an interim order directing the Board to consider and pass orders on IA No. 38/2023.

On 8.03.2023 the respondents filed objection in IA No. 38/2023. The respondents submitted that the petitioner did not clear the legitimate dues before publishing the final voters list. He was also not included in the Voters list of the last election also as he was a defaulter. The respondent alleged that the petitioner had utilized the amount for contesting the dispute with regard to the president ship and scramble for possession between him and Mr. Abdul Jabbar to protect their interest, without the sanction from the Jama-ath Committee.

Respondents raised more financial allegations against the petitioner. After detailed perusal the board passed an interim order on 8.03.2023 directing the Returning Officer to include the name of the petitioner in the voters list and to permit him to participate in election if he clears his due. In pursuance of the said order the petitioner had deposited the money and participated in the election. The election is over and newly elected committee had taken charge and is administering the waqf. At this point of time there is no need to proceed this matter further as the petitioners name was included in the voters list and had participated in the election. Matter is closed accordingly.

2. OP No. 30/2023 Malippuram Sanketham Hajidu Pally Jama-ath, Ernakulam

The petitioners herein Mr. A.K. Anwar Badhsha & 4 others had approached the Board by filing OP 30/2023 against the office bearers of Malippuram Sanketham Hajidhu Pally Jama-ath seeking for a declaration that respondent no's 1 to 5 & 7 have no right or authority to alienate, transfer or convert the Waqf property, to direct the respondents (to restore the petition scheduled property to its original condition, to take

legal actions against respondents for abusing the office for corrupt practices and for other related reliefs.

Upon receiving petition on 15.02.2023, notice was issued to the respondents to appear before the Board on 04.05.2023. On the same day, the Board passed an order in IA 42 of 2023 in OP 30/ 2023 restraining the respondents from alienating and converting the Waqf property in any manner.

The case of the petitioners is that they are the members and beneficiaries of Malippuram Sanketham Hajidhu Pally Jama-ath. The respondents 1 to 5 and 7 were taking decisions in accordance with their whims and fancy least bothering the interest and protection of the Waqf properties. The respondents making all arrangements to illegally alienate, transfer or convert the petition schedule Waqf property to create motorable access for respondent 6 to ingress and egress to his property. This illegal action invited several resentments from mahal members.

The respondents appeared and submitted a counter denying all the allegations raised by the petitioners. They contended that the jama-ath committee, received document No.1, a representation of mahal members who are residing near to old mosque and it was stated that there was no passable road for years. The 6th respondent is not included in this representation. They requested the committee to grant 4 feet width waqf property to construct a motorable road. As per document 2, the minutes book of the general body meeting, in which the petitioner no's 1 to 4 wear present and did not object, it is decided to transfer 4 feet width road owned by Waqf to the mahal members. 7th respondent sought legal

opinion from Waqf board and it stated that the Waqf property is inalienable and non transferable. As per Document No. 3, minutes of monthly meeting, it is evident that 7th respondent decided to stop all the matters related to transfer of Waqf property and it also decided to inform this in the upcoming general body meeting. The petitioners have only apprehension of transfer, convert or alienate the Waqf property by the respondents. As the jama-ath committee undertook/conceded that they are not intending to alienate or sell waqf property at present for further action is warranted on the basis of that allegation. The Board further finds that the prayer to scrutinize the income and expenditure of the waqf and to audit the accounts is to be allowed and hence the Divisional Waqf Officer, Ernakulam is directed to take immediate steps for auditing the accounts of the jama-ath for the period 2018-19 to 2023-24 and to complete the process invoking the powers delegated . If any further action is to be initiated from the side of the Board, the matter shall be placed before the Board through administrative side. With regard the prayer to dissolve the committee and conduct fresh election the Board finds that the petitioner had not produce any evidence to take a decision to dissolve the committee. Matter is disposed of accordingly.

3. OP No. 48/2021 Ahalu Sunnathi Val Jama-ath (labbai) Committee, Palakkad

The above OP is filed seeking for recalling of the permission granted by the CEO/ Administrator of the Waqf Board to permit the respondents 1 & 2 to carry out repairing of the Masjid building and pathway, since they have violated the permission and had virtually reconstructed the building and demolished/ removed a portion of Khaberstan used by families of petitioner.

The petitioners averred that the Waqf properties are presently registered in the name of 1st respondent, which is challenged before Hon'ble High Court by the petitioner, that the committee is duty bound to carry out the administration and management of the Waqf property and the respondents had applied for getting permission for carrying out routine maintenance work of the Masjid, Maqbara, Madrasa and pathway to the CEO of Waqf Board and vide Exhibit P4, order dated 28/12/2019 had allowed the applications. The said order clearly states that the maintenance work shall be done under the supervision of Thrissur Divisional Officer of the Board. The DO shall submit a report containing details of the expenditure involved duly on the completion of the work. The petitioner further alleged that the respondents carry out the repair work by demolishing old ones and had destroyed the khabarthan, specifically used by Labbai family, that all the meezan stones were removed from the place using JCB. A shed which was constructed on the immediate north of the shed has been reconstructed recently by the respondents under the cover of permission granted by CEO and respondents' had done substantial reconstruction and renovation under the guise of maintenance work. Hence, the petitioner approached the Board for recalling the permission for maintenance work.

The respondents appeared and submitted a counter denying all the allegations raised by the petitioner. They contended that the Waqf property is registered in the name of respondents with bearing No. 10385/RA dated 1/12/2020. The relief sought in the OP to "recall/withdrawal" of the permission granted by CEO as per 28/12/2019. It is prima facie not maintainable on account of lack of jurisdiction to order the relief sought by the petitioner. The Waqf Act does not confer power for review of the orders already passed by Board at the instance of any party. Therefore, the OP is opposed to law and liable to be dismissed at the threshold itself as being not maintainable. Moreover, the petitioner committee is not registered under the Waqf Board, hence they cannot challenge the order passed by CEO. The respondent produced 9 documents to prove their claim over Waqf

property. The respondent further submitted that dispute regarding the Khabarstan situated in the waqf property is under the consideration of Waqf Tribunal, Kozhikode in WOS No.74/2020 and hence Board lacks jurisdiction to consider said matter.

Board heard the matter in detail and perused the file regarding this matter and seen that the order which is questioned by the petitioner is already implemented and necessary maintenance were carried out under the supervision of Divisional Officer, Thrissur who had reported the details regarding the construction works which were carried out in the property. The proceedings dated 28-12-2019 was issued on the basis of order of the Administrator of the Board and not an order passed by the Chief Executive Officer. The permission was granted carrying out maintenance works of the buildings and pathway of the jama-ath and same was done under the direction supervision of the Divisional Office, Thrissur and as per the report of the officers the work is over. No reconstruction was as alleged by the petitioners were seen carried out. As per the provisions of Waqf Act, 1995, no power is conferred with the Board to review or withdraw any order that is passed by it. In this matter the order is already implemented and hence the petition is not maintainable. If the petitioner committee was aggrieved by the said order they ought to have approach the appellate body challenging the order but they had approached the Board simply seeking its withdrawal without any legal ground. With regard to the dispute raised by the petitioner alleging alteration in the Khabarstan alleged to be situated in the property WOS 74/2020 is pending before the Hon'ble Waqf Tribunal, Kozhikode and in such circumstances it shall be in appropriate on the part of the Board to decide on it. On the basis of the above findings O.P. stands dismissed.

4. IA No. 137/2023 in OP No. 94/2023 Muhiyudheen Juma Masjid Jama-ath Committee, Ernakulam

The above OP is filed by Mr. Ibrahim and 4 others seeking to direct the respondents not to convene the general body meeting without the sanction of the

Waqf board and to prepare a scheme for the Jama-ath for the management of the Waqf property.

The present I.A. is filed by the petitioner on 25.07.2023 claiming that he is the Muthavally of the Jama-ath. According to the petitioner the administration of the Jama-ath is to be carried out on the basis of document bearing no. 516/1938(560/1113(ME)) which is an agreement created between some interested parties for the management and administration of the Jama-ath. As per this agreement 7 Kaikars are only entitled to involve in the management of the Jama-ath and the waqf is registered with the Board including the details of the agreement in the register. According to the Petitioner the Jama-ath has to nominate one among 7 Kaikars as the Muthavally and the rest of the Kaikars as the committee members. The petitioner submitted that it is highly necessary to implead him in this proceedings since he is the mutawalli fo the Jama-ath and is highly necessary for the proper adjudication of this matter.

The respondents who are the petitioners in the main OP had filed objection in I A No. 137/2023 and it is stated that the administration of the Jama-ath is being carried out by a committee elected by the General body every year. The respondents denied the legal validity of the documents produced by the petitioner and the claim of the petitioner as the Muthavally and submitted that the document produced claiming as Waqf deed is only a contract between the same interested parties and it is not a Waqf Deed and that there was no management in the Jama-ath under the Muthavalliship or Kaikars as alleged by the petitioner and the alleged deed produced by the petitioner does not establish any right to the person acting as Muthavally.

The Board considered the matter in detail and finds that the petitioner is a person interested in the management of the Jama-ath and the respondents are not having a case that petitioner is not a member of the Jama-ath. The claim of the petitioner that he is the mutawalli of the Jama-ath can be decided only after taking and verifying the evidence. But the petitioner can be impleaded in this proceedings

as a person interested in the administration of the Jama-ath. Hence, the petition is partly allowed and the petitioner is impleaded in this proceedings as additional respondent considering him as a beneficiary and a person interested in the above waqf. Office is directed to carry out amendment in the petition on the basis of this order.

5. IA No. 87/2024 in OP No. 46/2024 Pezhakkappilly Muslim Jama-ath, Ernakulam
order passed vide separate sheet in this matter and OP 12/2024

The petitioner herein had filed this O.P. seeking to direct the 2nd respondent to conduct the election as per the orders in O.P.24/2018 dated 19-03-2019, to direct the 2nd respondent to include the name of all jama-ath members (family card holders) of the 1st respondent waqf in the voters list and for other related reliefs.

While the matter was pending before the Board a mediation talk was conducted by the Board in which the petitioner had putforth his suggestion that they are willing to withdraw O.P. numbers 46/2024 and 12/2024 if the petitioners in both the petitions as well as 34 similarly situated persons are included in the final voters list and if it is already published the same is again published after including petitioners name. The respondent submitted that the 1st and 2nd respondent are ready to include the petitioners and similarly situated 34 persons who filed application for inclusion in the voters list before the returning officer and permit them to cast their votes to the present notified/future elections. Both the parties had submitted their respective settlement affidavit before the Board. On the basis of the settlement affidavit submitted the following order is passed.

- 1) The returning officer shall include the petitioners in the above cases as well as the similarly situated 34 persons who had filed objection before the returning officer for inclusion of their name in the final voters list. After inclusion of the name of the above mentioned persons the returning officer shall publish final voters list within 15 days from the date of this order and shall complete the election process as early as possible after completing all procedural formalities and shall submit report on or before 06-06-2024.

	<p>2) As agreed by both the parties the above mentioned persons shall be competent to cast their votes in the present notified/future elections.</p> <p>Matter is closed accordingly.</p>
6.	<p>OP No. 128/2021 Valavu Mahallu Jama-ath, Thrissur</p> <p>The petition is filed by members and beneficiaries of Valavu Mahallu Jama-ath registered with the board as 2913/RA raising several allegations against the JAma-ath Committee. It was alleged that the term of the management committee is one year as per the provisions mentioned in the bye law governing its administration, that the general body is conducted without proper notice, that the management committee of the jama-ath is under the clutches of certain persons who are having vested interest in the funds of the jama-ath and that there is no system of auditing to ascertain proper income and expenditure accounts before the jama-ath members etc.</p> <p>The relief is sought is to conduct an audit of the income and expenditure of jama-ath for the last 5 year sand to appoint an Interim Muthawally till a properly elected committee take charge by conducting an election under supervision of a returning officer to be appointed by the Board. The petitioner had filed I.A.No.69/2021 along with the OP seeking to conduct audit of the income and expenditure of jama-ath for the last 5 years. The said I.A was allowed by the Board and auditing is carried out. Further, the respondents were restrained from conducting election to the managing committee of the jama-ath without the permission of the Hon’ble Board. The petitioners had filed I.A No. 187/2022 on 22.08.2022 seeking to to conduct election to the management and administration of the waqf at an early date. The Board had passed an order dated 01/11/2022 appointing Adv. P.A Majeed as Returning Officer for conducting election to the Jama-ath. The Returning Officer so appointed had conducted election to the JAma-ath Committee and had submitted detailed report also.</p> <p>As auditing as well election as prayed in the petition is allowed and newly elected committee had taken charge the Board finds that there is no point in proceeding this matter further and hence, O.P. is closed.</p>
7.	<p>IA No. 139 & 140/2023 in OP No. 154/2023 Cheruthuruthi Juma Masjid & Madrassa Committee, Thrissur</p>

The petitioners had filed the main O.P. under section 32 of the Waqf Act, 1995 seeking to declare that the meeting of 1st respondent jama-ath convened on 29-05-2022, any decision taken in the said meeting and the continuance of respondent 2 and 3 and their committee as illegal and void, to appoint a returning officer for conducting election to the jama-ath through secret ballot system and for other related reliefs.

I.A.139 was filed by the petitioners seeking to pass an urgent direction to produce a legible and readable copy of the bye-law of 1st respondent jama-ath. It is seen that the said petition is already allowed by the board on 25-07-2023 and directed the respondents to produce legible copy of bye-law. But so far same is not seen produced by the respondent. Subsequently, the matter was posted for mediation and as there was no scope for mediation case was posted for counter. On 08-11-2023 even though the respondent was directed to submit an affidavit in I.A.139/2023 but they had not submitted an affidavit as directed by the Board.

I.A.140/2023 was filed seeking to appoint an interim mutawalli in the 1st respondent jama-ath for carrying out day to day affairs of the jama-ath of the time being. The petitioner contented that the 1st respondent jama-ath comprises of two masjids, madrassas, shop rooms and other properties and as per custom the general body of the jama-ath is to be presided over by 4th respondent who is the president of the central jama-ath. The petitioner further submitted that even though there is a bye-law for the jama-ath same is not followed and whims and fancies of 2nd and 3rd respondents are being carried out and for the last 18 years they are administering the waqf without conducting election and proper meeting. The petitioner alleged that the members have no role in the selection/election of the committee members and executive and recently on 29-05-2022, the respondents 2 and 3 had arranged a meeting of some interested persons without intimating the same to the mahal members and beneficiaries. The meeting was

presided over by the 4th respondent and as the mahal members intervened the meeting was dispersed without electing the new committee. Subsequently, the 4th respondent called for a meeting on 17-06-2022 and proposed to have election through secret ballot after appointing returning officer. But, the respondents 2 and 3 and their henchmen were not ready to accept the proposal and hence there was no result. The petitioner further submitted that at present there is no committee in the 1st respondent jama-ath and respondents 2 and 3 who is having no locus standi are administering the waqf without any right or authority. Hence, the petitioner approached the Board. The respondent appeared and submitted counter denying all the allegations and submitted that even though a general body was called for on 29-05-2022 dispute arose between the members on the point as to whether election is to be conducted openly or through secret ballot system and election could not be conducted on that day and the 4th respondent herein had entrusted the president to carry out administration until a new committee is elected. After that some of the members had not permitted creation of peaceful atmosphere for the conduct of proper election. The respondent further submitted that at present the day to day administration is properly carried out and hence, there is no need to appoint an interim mutawalli. The respondent also submitted that the present committee is also intends to conduct election and is not having any objection in appointing a returning officer for conducting election. But, the present financial situation of the jama-ath committee is not stable so that huge amount can be expended for election. Hence, the committee requested that a direction may be issued from the Board for meeting the expenses of election by the petitioners, persons who are contesting the election and a small portion from the jama-ath committee.

Both parties admitted that no proper election is conducted and a temporary arrangement is made by entrusting the erstwhile president to carry out the administration and the same is also disputed. As the term of the committee is over and dispute arose between the members with regard to the mode of conduct of election, the administration is temporarily entrusted with the president

which is also disputed the Board finds that this is a clear case in which appointment of an interim mutawalli is warranted under section 63 of the Waqf Act, 1995. AS the election of the jama-ath committee is also to be conducted it is proper to appoint an interim mutawalli cum returning officer for the above waqf.

Hence, Adv. Abdul Khader Kannezhath, Kodungallur is appointed as the interim mutawally cum returning officer of Cheruthuruthy Juma Masjid and Madrassa for a period of 6 months from the date of this order. The interim mutawalli shall take over charge with immediate effect and shall carry out the administration as per the provisions Waqf Act and Waqf Rules and shall submit report periodically. He shall be entitled for a monthly remuneration of Rs.15,000/- per month and the expenses for conducting election shall be met from the jama-ath fund.

8. IA No. 199/2023 in OP No. 98/2022 Paimattom Muslim Jama-ath, Ernakulam

The petitioners filed the above OP under Secs. 32, 63 & 64(i) (j) of the Waqf Act, 1995 seeking to direct the respondents not to make any changes in the order of worship in the mosque, especially in the religious rituals related to Friday prayer and continue the same as specified in the bye law and the system followed by the Jama-ath in the past. The Board passed an interim order in IA No. 108 of 2022 as prayed by the petitioners, directing the respondents not to make any change in the religious rituals and the rituals in connection with Friday Juma namaz and continue the same as specified in the byelaw.

The respondents appeared through learned counsel Adv. M. M. Aliyar and submitted counter affidavit. In the counter of the respondents they denied all the allegations in the petition and submitted that the present managing committee didn't make any changes in the rituals

followed by the Jama-ath for the past years.

The petitioner filed IA 17 of 2023 to appoint an Advocate Commissioner to inspect the Friday juma prayer. That prayer also allowed by the Board and appointed Adv. Muhammed Musthaq T.M. as advocate Commissioner. Advocate Commissioner inspected and participated in Friday prayer on 06.01.2023 and submitted his report on 25.07.2023. Both parties didn't object the Commission report.

The petitioners again filed IA No. 199 of 2023 on 17.10.2023 stating that it is clear from the Commission report that the respondents are acting against the order passed by the Board on 07.06.2022 in IA No. 108 of 2022 and requested the Board to take against committee and direct them not to make change in the religious rituals followed in the Friday Juma prayer as followed in the Jama-ath in the past. The respondent had not submitted any counter to the I.A. On perusal of the commission report Board does not find anything reported by the commissioner that the order of the Board is violated. The procedure of juma ie., followed in the jama-ath as reported by the commissioner is seen as proper as per the sunni practices and the petitioner failed to prove that the respondents had violated any order passed by the Board. In such circumstances, the Board finds that the I.A. deserves to be dismissed.

On the basis of above finding I.A. stands dismissed and the main O.P. is posted for steps.

9. IA No. 184/2023 in OP No. 122/2023 Kuttulanji Methala Muhiyudheen Juma Masjid, Ernakulam

The above OP is related to the administration of Kuttulanji Methala

Muhyudheen Juma Masjid Waqf registered with Board under Registration No. B4-3229/RA.

The petitioners in the OP claims that they are members of Thottathikulam family and legal heirs of the decree holders in OS No. 403/1996 filed in Munsiff Court, Muvattupuzha. The suit was filed for declaration, recovery of possession and injunction. The relief sought by the petitioners in the OP is to appoint them as Muthawalli of the Masjid and entrust its management to them.

The present IA 184/23 is filed by Mr. Meeran V.A and 2 others seeking to implead them in the OP. The material averments in the I.A are that the administration of the Waqf was carried out by an elected committee and the administration is governed by a registered bylaw. Thottathikulam family claims Muthawalliship based on an agreement (Udambadi No. 5/1119 ME) which is executed between family members. The family filed EP before Munsiff Court, but the same was dismissed on the ground of lack of jurisdiction.while the matter was pending consideration of the Board, the petitioner in IA approached the Hon'ble High Court by filing OP © No. 177/2023. But High Court didn't pass any interim order. Hence the petitioners submitted that the decree holders are not technically in management of the Waqf based upon the decree.

It was further submitted that in another proceedings the board had appointed Adv. Hazeem Khan as interim Muthawalli and the notice in the above OP was issued in his name. But later he was removed by the Board and Board appointed another person as interim Muthawalli. Hence, the interim Muthawalli could not represent and submit objection in the OP so as to protect the interest of the Committee and Mahal members. Hence the petitioners in IA want to get impleaded in the OP to bring to the notice of the board that it is specifically held by Munsiff Court that only the Waqf Tribunal has the jurisdiction to execute the EP. Unless the IA is allowed, it may result in abuse of process of Waqf board.

It is submitted by respondents 1-6 in the IA, that the Munsiff Court

observed that the committee who is administering the Waqf is not having any right to continue in administration of the Waqf because the committee had not obtained any order in favour of them to establish their claim till date. Hence Board appointed interim Muthawalli. The OP is filed in order to get the administration of waqf being resolved by OS No. 403/1996 and it is the legal and statutory obligation of Board to entrust the Muthawalliship to the person who is declared by competent Court. The Waqf in question is administered by Board through interim Muthawalli whose duty is to protect the Waqf and not become a spokesperson of mahal. Hence the respondent submitted that the impleading petitioners have no locus standi to implead in the OP.

While the matter was pending before the Board, the respondents herein had produced the judgment of Hon'ble High Court of Kerala in I.A.1 of 2024 in unnumbered RSA of 2023 (filing No.RSA 14/24) dated 09-02-2024. It is a petition which was filed seeking permission to file 2nd appeal against the decree and judgment passed in AS 87/2000 on the files of Sub Court, Muvattupuzha arising out of the decree and judgment in O.S.403/1996. The said petition was dismissed by the Hon'ble High Court of Kerala finding that as per Udambadi executed as document No.5 of 1119ME the management of the jama-ath was entrusted with Thottathikulam family and the said right is confirmed in AS No.87/2000 and the unnumbered Regular Second Appeal filed against order in AS No.87/2000 was dismissed by the Hon'ble High Court of Kerala. The petitioners herein failed to prove their right in administration of the waqf and there is a court order affirming the right of administration with Thottathikulam family. In such a situation the Board cannot come to a conclusion that petitioners are persons interested in the administration or persons having any right in the administration of the waqf involved in this matter. Hence, the I.A. for impleading stands dismissed.

10.	OP No. 106/2017 Amaravathy Muslim Jama-ath, Ernakulam Call on 06.06.2024
11.	EP No. (A8) 5771/2019 Edakkazhiyoor Muslim Jama-ath Pally, Thirssur Statement filed by R1. For Statement of R3,R4. Posted to 06.06.2024

12.	EP No. 867/2016 Aluva Muwslim Jama-ath, Ernakulam Despatched for retrun of notice. Posted to 06.06.2024
13.	OP No. 166/2015 Randarkkara Hidayathul Muslimeen Yatheenkhana, Ernakulam Commissioner is seen filed interim report that respondents is not cooperating to record evidence. IA No. 105/2024 filed by the respondent for production of documents. Issue notice. Posted to 08.05.2024
14.	OP No. 186/2018 Abdul Sathar Haji Moosa Sait Dharmastapanam, Ernakulam For report of the Muthawalli. Posted to 06.06.2024
15.	OP No. 190/2018 Chiramengad Muhiyudheen Juma Masjid, Thrissur Fresh notice to parties. Posted to 06.06.2024
16.	OP No. 48/2018 Pavaratty Town Juma Masjid, Thrissur For commission report. Posted to 06.06.2024
17.	OP No. 126/2018 Pudoor Puthen Pally, Thrissur Counter filed by R1 and R2. For steps. Posted to 06.06.2024
18.	OP No. 12/2019 Kalloor Karnikkal Muslim Juma Masjid, Thrissur Petitioner reported no intstuction and the same endorsed. For orders. Posted to 08.05.2024
19.	OP No. 136/2019 Ettumanoor Athirampuzha Muslim Jama-ath, Kottayam Advocate commissioner has informed that she is not willing to record evidence she has shifted to wayanad. Hence Adv. Chelson is appointed as advocate commissioner to take evidence pay of Rs.2000/- per witness per day. For commission Reprt. Posted to 06.06.2024
20.	OP No. 48/2020 Nibrasul Islam Sangham, Palakkad For report of Divisional officer. Posted to 08.05.2024
21.	OP No. 16/2020 Kuriyatholde Muslim Jama-ath, Ernakulam For proof affidavit. Posted to 06.06.2024
22.	OP No. 130/2021 Nusrathul Islam Madrassa Committee, Ernakulam For steps. Posted to 06.06.2024
23.	OP No. 116/2021 Kaitharam Muslim Jama-ath, Ernakulam IA No. 88/2024 to recall record. Notice given. For objection in IA. Posted to 06.06.2024
24.	EP No. (A8) 4283/2021/TSR Karakkad Jama-ath Pally, Palakkad For steps. Posted to 06.06.2024
25.	OP No. 06/2021 Mayyathankara Jama-ath Pally, Palakkad IA No. 95/2024 joint trail application. For counter. Posted to 06.06.2024
26.	OP No. 106/2022 Noor Muhammadiyya Jama-ath, Idukky

	For proof affidavit of the respondents. Posted to 08.05.2024
27.	OP No. 06/2022 Pengattusserry Muslim Jama-ath, Ernakulam No counter, no representation. IA No. 42/2024 allowed. Divisional officer is directed to appoint an auditor to audit the period of 2020-2024. For audit repor. Posted to 06.06.2024
28.	OP No. 184/2022 Abdul Sathar Haji Moosa Sait Dharmastapanam, Ernakulam Await report. IA No. 98/2024 joint trail application with EP No. 3300/CR. Notice given. For counter. Posted to 08.05.2024
29.	OP No. 128/2022 Vazhalippadam Mahallu Jama-ath, Thrissur Produce report. Audit report. Posted to 08.05.2024
30.	EP No. 7539/2022 Vaduthala Kottoor Kattupuram Jama-ath, Ernakulam Counter in IA No. 115/2023, 149/2024. Take steps to issue notice in IA No. 115/2023 and IA No. 114/2024 to parties. Posed to 06.06.2024
31.	OP No. 188/2022 Kakkattiri Juma Masjid, Palakkad Commission batta not paid. Order not complied in IA No. 172/2022 stands dismissed. Posted to 06.06.2024
32.	OP No. 104/2022 Pathiyasserry Muhiyudheen Juma Masjid, Thrissur IA No. 106/2024. Notice given. For counter. Posted to 06.06.2024
33.	OP No. 96/2022 Vadanappally North Mahallu Muslim Jama-ath, Thrissur IA No. 107/2024 to appoint interim muthawalli. Notice given to R3. No representation by R1 and R2. No counter of R3. For orders. Posted to 06.06.2024
34.	OP No. 86/2022 Pezhakkappilly Muslim Jama-ath, Ernakulam call on 06.06.2024
35.	OP No. 172/2022 Muhiyudheen Juma Masjid, Kottayam For proof affidavit. Posted to 08.05.2024
36.	OP No. 138/2022 Maliriyam Juma-ath Pally, Palakkad For commission report. Posted to 06.06.2024
37.	OP No. 174/2022 Muhiyudheen Juma Masjid, Kottayam For proof affidavit of the Petitioner. Posted to 06.06.2024
38.	OP No. 132/2022 Mullakara Muslim Jama-ath, Thrissur For production of receipt of the payment. Posted to 08.05.2024
39.	OP No. 54/2022 Mannar Muslim Jama-ath, Alappuzha Commissioner filed report. Rw1 examined and Exhibit B1 to B15 marked. Evidence closed. For hearing. Posted to 06.06.2024
40.	OP No. 32/2023 Thottumugham Padinjare Pally, Ernakulam For proof affidavit. Posted to 06.06.2024

41.	OP No. 144/2023 Masjidul Ijaba Muslim Jama-ath Committee, Alappuzha The appointment order of the commissioner is hereby recalled. For orders. Posted to 06.06.2024
42.	OP No. 226/2023 Nettor Muslim Jama-ath, Ernakulam For counter. Posted to 06.06.2024
43.	EP No. (A9) 620/2023/TSR School of Quran, Thrissur For statement of Party No. 2. 1 st party filed statement along with the document. Posted to 06.06.2024
44.	OP No. 212/2023 Anwar Masjid, Thrissur For counter in OP and IA. Posted to 06.06.2024
45.	OP No. 234/2023 Manjakkulam Pally Makham Committee, Palakkad For objection in observers report and await report. Divisional Waqf officer is directed to expediate the audit. Both parties conceded to prayer in OP to conduct election. Hence Adv. Ajas Salim is appointed as returning officer to conduct election. Initial Batta of Rs. 25000/- shall be paid by the respondent committee. For report. Posted to 06.06.2024
46.	OP No. 192/2023 Ilfathul Islam Sangham(Ponnuruni Jama-ath), Ernakulam For counter. Posted to 06.06.2024
47.	OP No. 208/2023 Kongad Muhiyudheen Sunni Juma Masdji and Assassul Islam Madrassa, Palakkad For proof affidavit. Posted to 06.06.2024
48.	OP No. 214/2023 Kottol Mahall Central Juma Masjid Committee, Thrissur For steps. Posted to 06.06.2024
49.	OP No. 60/2023 Pallikkara Muslim Jama-ath Committee, Ernakulam Await audit report and counter. Posted to 06.06.2024
50.	OP No. 168/2023 Puvathoor Juma-ath Muhiyudheen Masjid, Ernakulam Await audit report. Objection to audit report. Posted to 06.06.2024
51.	OP No. 160/2023 South Thrithala Juma Masjid, Palakkad For steps. Posted to 08.05.2024
52.	OP No. 150/2023 Puthenchira Padinjare Muslim Jama-ath, Thrissur For steps. Posted to 06.06.2024
53.	OP No. 152/2023 Vadakara Muslim Jama-ath, Kottayam No representation for R3 and name called. Set exparte. For steps. Posted to 08.05.2024
54.	OP No. 146/2023 Kuzhikkattumoola Mahallu Muslim Jama-ath, Ernakulam

	For steps. Posted to 08.05.2024
55.	OP No. 142/2023 Kollakkadav Muslim Jama-ath, Alappuzha No instruction reported by the counsel for the respondent. For filing exparte affidavit. Posted to 08.05.2024
56.	IA No. 132/2023 in OP No. 56/2021 Chettiayangadi Hanafi Sunnath Jama-ath, Thrissur Take steps to issue notice. For substituted service. Posted to 06.06.2024
57.	OP No. 08/2023 Puthoor Pally Muslim Jama-ath, Kottayam For steps. Posted to 06.06.2024
58.	OP No. 222/2023 Ettumanoor Athirampuzha Muslim Jama-ath, Kottayam For counter. Posted to 06.06.2024
59.	OP No. 224/2023 Ettumanoor Athirampuzha Muslim Jama-ath, Kottayam No representation for respondents. Name called. Set exparte. For exparte affidavit. Posted to 08.05.2024
60.	OP No. 16/2023 Town Juma Masjid, Thrissur For proof affidavit. Posted to 08.05.2024
61.	OP No. 228/2023 Masjidu Swahaba Mahallu Committee, Palakkad Counter filed in IA No. 32/2024 and for counter in main OP. IA No. 32/2024 for orders. Posted to 06.06.2024
62.	OP No. 210/2023 Kottol Mahallu Central Juma Masjid Committee, Thrissur IA No. 262/2023 to appoint returning Officer for conducting election to the jama-ath committee allowed after hearing both parties. Its found that the term of the existing committee expires on 15 th September 2024 and hence the election is to be conducted so that the newly elected committee can take charge on 16 th September 2024. Hence Adv.P.U.Ali, Thrissur is appointed as Returning Officer for conducting election to the Jama-ath committee so that the newly elected committee can take charge on 16/09/2024. Initial Batta of Rs.15,000/- shall be paid by the petitioner and the remaining expenses and fee of the returning officer shall be met from the Jama-ath funds. For interim report posted to 06/06/2024.
63.	OP No. 58/2023 Malippuram Sankhetham Hajidu Pally Jama-ath Committee, Ernakulam For orders. Posted to 08.05.2024
64.	EP (A8) 4550/2023/TSR Kakottil Punnappadam Jama-ath Pally, Palakkad statement of the parties. Posted to 08.05.2024

65.	OP No. 38/2023 Karukaputhoor Mahallu Jama-ath Committee, Palakkad Adv. Babu Karukapadath filed fresh vakkalath for the petitioner. For filing proof affidavit. Posted to 08.05.2024
66.	OP No. 238/2023 Markkassu Dawathi Sunneeya, Thrissur Issue fresh notice. Posted to 06.06.2024
67.	OP No. 242/2023 Kanjippuzha Muslim Jama-ath, Alappuzha For counter and Divisional waqf officer is directed to expediate the auditing. Posted to 06.06.2024
68.	OP No. 250/2023 Punnappadam Kakkod Puthenpally Jama-ath, Palakkad Notice to the respondents Served. No representation and name called. For expate affidavit. Posted to 08.05.2024
69.	OP No. 252/2023 Meppara Juma-ath Mosque, Palakkad For respondents Adv. Peer Mohammed Khan offered vakkalath. For counter. Posted to 06.06.2024
70.	OP No. 20/2023 Broadway Hanafy, Ernakulam For counter. Posted to 06.06.2024
71.	OP No. 200/2023 Broadway Hanafy Jama-ath Masjid, Ernakulam No representation by the petitioner. Deposit the cost with waqf Board. For counter in OP. Posted to 06.06.2024
72.	OP No. 34/2023 Amaravathi Muslim Jama-ath, Ernakulam call on 06.06.2024
73.	EP No. (A3) 3300/CR -1 Abdul Sathar Haji Moosa Sait Dharmastapanam, Ernakulam Interim report filed by the muthawalli. Issue copy of the report to all parties. Objection if any in the report. IA No. 99/2024 to receive documents. For counter. Posted to 08.05.2024
74.	EP No. (A3) 3121/ CR Kodikuthu Mala Muslim Jama-ath, Ernakulam For commission report. Posted to 08.05.2024
75.	EP No. (A9) 4645/CR Putharippadam Mayyathankara Jama-ath, Palakkad For argument notes. Posted to 06.06.2024
76.	OP No. 08/2024 Erumeli Muslim Jama-ath, Kottayam For steps. Posted to 08.05.2024
77.	OP No. 16/2024 Vadakara Muslim Jama-ath, Kottayam For counter. Posted to 08.05.2024
78.	OP No. 40/2024 Theruvath Pally Makham Committee, Palakkad R1 and R2 appeared in person and counter filed. R3 and R4 also appeared and filed counter. For steps. Posted to 08.05.2024
79.	OP No. 50/2024 South Thrithala Juma Masjid, Palakkad

	For R1 to R4 Adv. Jaleel filed vakkalath. For counter and audit report. Posted to 08.05.2024
80.	OP No. 52/2024 East Veliyathnad Juma Masjid, Ernakulam R1 to R15 Adv. Jabbar appeared. For counter. Posted to 08.05.2024
81.	OP No. 22/2024 Malippuram Sankhetham Hajeed Pally Jama-ath Committee, Ernakulam This petition is not pressed by the petitioner counsel. Hence dismissed.
82.	<p>OP No. 12/2024 Pezhakkappilly Muslim Jama-ath, Ernakulam Order passed vide separate sheet along with OP No. 46/2024.</p> <p>The petitioner herein had filed this O.P. seeking to direct the 2nd respondent to conduct the election as per the orders in O.P.24/2018 dated 19-03-2019, to direct the 2nd respondent to include the name of all jama-ath members (family card holders) of the 1st respondent waqf in the voters list and for other related reliefs.</p> <p>While the matter was pending before the Board a mediation talk was conducted by the Board in which the petitioner had putforth his suggestion that they are willing to withdraw O.P. numbers 46/2024 and 12/2024 if the petitioners in both the petitions as well as 34 similarly situated persons are included in the final voters list and if it is already published the same is again published after including petitioners name. The respondent submitted that the 1st and 2nd respondent are ready to include the petitioners and similarly situated 34 persons who filed application for inclusion in the voters list before the returning officer and permit them to cast their votes to the present notified/future elections. Both the parties had submitted their respective settlement affidavit before the Board. On the basis of the settlement affidavit submitted the following order is passed.</p> <ol style="list-style-type: none"> 1) The returning officer shall include the petitioners in the above cases as well as the similarly situated 34 persons who had filed objection before the returning officer for inclusion of their name in the final voters list. After inclusion of the name of the above mentioned persons the returning officer shall publish final voters list within 15 days from the date of this order and shall complete the election process as early as possible after completing all procedural formalities and shall submit report on or before 06-06-2024. 2) As agreed by both the parties the above mentioned persons shall be competent to cast their votes in the present notified/future elections.

	Matter is closed accordingly.
83.	OP No. 4/2024 Ilippakkulam Kattanam Muslim Jama-ath, Alappuzha Counter in main OP filed. For counter in IA No. 61/2024 and IA No. 62/2024. IA No. 96/2024 for amendment of the auditing. No objection. Allowed. IA No. 97/2024 to conduct election. For counter. Posted to 08.05.2024
84.	OP No. 54/2024 Puthoor Pally Muslim Jama-ath, Kottayam IA No. 100/2024. Notice given. For counter. Counter in IA No. 55/2024 and in OP filed. For steps. Posted to 06.06.2024
85.	OP No. 58/2024 Mannar Muslim Jama-ath, Alappuzha For R1 to R3 adv sunil mohammed offered vakkalath. For counter and vakkalath. Posted to 06.06.2024
86.	OP No. 60/2024 Hyderiyya Masjid Mahallu Committee, Palakkad Adv. Mohammed Shah appeared for respondent. For counter. Posted to 08.05.2024
87.	OP No. 62/2024 Alappara Mulsim Jama-ath, Kottayam Adv. E. S. M. kabeer appeared for all respondents. For vakalath and counter. Posted to 06.06.2024
88.	OP No. 68/2024 Kaithakkad Muslim Jama-ath, Ernakulam For all respondents Adv. E. S. M. Kabeer. IA No. 108/2023 to conduct election. Notice given. For conter in IA and OP. Posted to 08.05.2024
89.	OP No. 06/2024 Puthoor Pally Muslim Jama-ath, Kottayam Counter in IA No. 14/2024 and IA No. 15/2024 filed. Heard. For orders. Posted to 06.06.2024
90.	OP No. 20/2024 Punnappadam Kakkod Puthenpally Jama-ath, Palakkad Notice served. No representation by the respondents. Name called. Set expate. For filing expate affidavit. Posted to 06.06.2024
91.	EP No. (A3) 11333/CR Islamic Dawa Center and Trust, Ernakulam For orders. Posted to 06.06.2024
92.	EP No. (A9) 4270/2023 Munavvirul Islam Mahallu Committee, Palakkad 1 st party appeared by Adv. Sunitha. 2 nd and 3 rd party Adv. Thoyyib Hudavi appeared. For statement. Posted to 06.06.2024
93.	AA No. 74/2024 Ponkunnam Muhiyudheen Pally, Kottayam Heard. For orders. Posted to 06.06.2024
94.	AA No. 76/2024 Pachira Thaikkavu, Thiruvananthapuram Heard. For orders. Posted to 06.06.2024

95.	AA No. 30/2024 Kurukkan Thangal Pally (Assaiyid Hussain Muhammadali Memorial Arabic College), Alappuzha Heard. For orders. Posted to 06.06.2024
96.	AA No. 36/2024 Thazhathangadi Muslim Jama-ath Pally, Kottayam Heard. For orders. Posted to 06.06.2024
97.	AA No. 34/2024 Kanjikkuzhi Muslim Jama-ath, Kottayam Heard. For orders. Posted to 06.06.2024
98.	AA No. 32/2024 Thableegul Islam Jama-ath, Idukky Heard. For orders. Posted to 06.06.2024
99.	OP No. 78/2024 Thayikkattukara Muslim Jama-ath, Ernakulam Issue notice to the respondents. Posted to 06.06.2024 IA No. 91/2024 Heard. The petitioner had made out a prima facie case. The respondents are directed to provide entire service to the petitioners and his family members as a member of the Jama-ath and permit him to take part in the activities of the Jama-ath
100.	OP No. 80/2024 Hidayathul Islam Jama-ath, Palakkad Issue notice to the respondents. Posted to 06.06.2024 IA No. 101/2024 Divisional Waqf Officer, Thrissur is directed to audit the accounts of the waqf from 2018 – 2019 to 2023 – 2024 and complete the audit process invoking the powers delegated to him and if any action is to be initiated from the side of Board matter shall be placed before the Board through administrative side. IA No. 103/2024 Heard. The petitioner had made out a prima facie case. Respondents are directed not to conduct election to the 1 st respondent Jama-ath without the prior permission of the Board.
101.	OP No. 93/2024 Veliyankode Mahallu Muslim Jama-ath Committee, Malappuram Issue notice to the respondents. Posted to 30.06.2024 IA No. 118/2024 Heard. The petitioner had made out a prima facie case. The respondents are restrained from carrying out construction in the Waqf property without obtaining prior permission of Board. IA No. 119/2024 This petition not pressed by the counsel for the petitioner. Hence dismissed. IA No. 120/2024

	<p>Divisional Waqf Officer, Malappuram is directed to take steps for auditing the accounts of the Jama-ath for the period of 2018-2019 to 2023 – 2024 and complete the audit process invoking the powers delegated to him. If any action is to be taken from the side of Board matter shall be placed before the Board through administrative side.</p> <p>IA No. 121/2024</p> <p>Heard. Petitioner had made out a prima facie case. The respondents are restrained from taking any policy decision.</p> <p>IA No. 122/2024</p> <p>This petition is not pressed by the counsel for the petitioner. Hence dismissed.</p>
102.	<p>OP No. 44/2024 Mylapore Muslim Jama-ath Committee, Kollam</p> <p>Based on the High court order advanced from 06.05.2024 to today. Issue notice to the respondents through special messenger for serving the draft scheme to the respondents. Posted to 06.05.2024</p>
103.	<p>IA No. 94/2023 in A3-3173/CR Manjali Muslim Jama-ath, Ernakulam</p> <p>Issue notice. Posted to 03.07.2024</p>