

**A DIARY**  
**Dated: 11.06.2024**

1. OP No. 54/2023 Kattumurakkal Muslim Jama-ath, Thiruvananthapuram

The O.P. was filed under section 32 of the Waqf Act, 1995 seeking a direction directing the respondents to act in accordance with the Niyamavali of the Kattumarakkal Muslim Jama-ath. He also sought for the direction to the respondents to allow the petitioner to attend the general body meeting. The 3<sup>rd</sup> prayer is to call for the records of the minutes dated 21.10.2022 and set aside the decision taken against the petitioner. Along with OP the petitioners had filed **IA 61/23** seeking to stay the operation of the suspension order passed on the basis of minutes dated 21-10-2022. The Board had passed an interim order granting stay of the operation of the order dated 21-10-2022. The respondent appeared and submitted that the resolution of the general body dated 21-10-2022 to bar the petitioner from attending the general body meeting for a period of 6 months is already run out and hence I.A. and O.P. has become infructuous. From the averments in the petition and the documents produced it is seen that the petitioner was suspended for a period of 6 months and the said period is over. But the main O.P. is filed seeking to direct the respondents to act in accordance with the Niyamavali of Kattumurakkal Muslim Jama-ath, to allow the petitioner to attend the general body meeting and to set aside the decision taken against the petitioner.

As the period of suspension passed against the petitioner is already over, there is no point in taking further action on the basis of minutes dated 21-10-2022. From the family card produced by the petitioner that document No.1 it is seen that if any disciplinary action is initiated against a particular person the jama-ath will not give proper assistants in case a death happens in his house and in the marriage permission certificate which is issued prior to marriage it will be noted that disciplinary action is against a member of that family. Such actions from the part of a committee is to be seen only as a barbaric act which cannot be allowed at any cost. The jama-ath committee can always take a reasonable disciplinary action against its members which does not affect the human rights of the member and his family members. Also, in case of taking any action against any member, conducting general body and in the administration of the jama-ath the provisions of the bye-law need to be followed strictly and the respondent jama-ath committee should ensure the same. On the other side the jama-ath member also should act as per the provisions of bye-law and shall take due care that his actions and words does not affect the unity and dignity of the jama-ath and its members. He is also duty bound to obey the legal and reasonable decisions taken by the jama-ath committee. With the above direction the O.P. is

disposed of.

2. OP No. 56/2023 Kattumurakkal Muslim Jama-ath, Thiruvananthapuram

The OP is filed by the petitioners under section 32 of the Waqf Act,1995 seeking to direct the 1<sup>st</sup> respondent not obstruct the petitioner and her family from entering the mosque / Wakf property for offering prayers and carrying out such other practices that are essential part of their faith and revoke suspension of family card on the basis of reply given by the petitioners son in law to the show cause notice. Along with OP the petitioners had filed **IA 64/23** for a direction to the respondents to provide the entire service of the Mahal to the petitioner and her family as a member, till the finalization of the OP. **IA 65/2023** directing the respondent committee not conduct General body meeting without the consent of the Wakf Board, **IA 66/2023** Stay of the suspension order dated 28/09/2022. Interim Order was passed in all I.A.s on 14-03-2023 and notices were issued to the respondent. Respondents filed counter statement in the main O.P. as well as in I.A. No.66/23 denying all the allegations leveled in the O.P & the impugned action in the O.P. is the order of suspension cum show cause notice issued by the Jama-ath to one Mr. Shamnad, the son in law of the petitioner, for misbehaving with the Chief Khatheeb cum Imam under whose spiritual guidance, the people in the locality do religious service in the mosque and other institutions. Petitioner has no locus standi to challenge show cause notice being not an action against her. It is submitted that petitioner is one among the 5 members of the Family Card No.883. The head of the family as per the Family Card is Mr. Shamnad.

The respondent alleged that the son in law of the petitioner abused the imam questioning performance of Moulood. The respondent submitted that they are not denying any services to the family of the petitioner and shall continue to provide the same. The beneficiaries of waqf cannot be denied of their privilege as a muslim and it is the right of the every muslim to pray in the mosque and to be buried in the greave yard whenever he dies. The action of expelling or keeping some members as ostracized is admittedly unislamic and unethical. The congregation of the mahal or

mahal committee can always exercise a reasonable restriction on its members subject to the bye-laws and Islamic principles. This restriction shall never exceed its limits especially to the denial of opportunity to enter and pray into a mosque and also the denial of right of burial in the grave yard and the timely conduct of sunnath and marriage. The committee in administration is cannot take away rights of its members.

On the other side all the members of the mahal should co-operate with the activities of the mahal and shall behave modestly to the jama-ath committee as well as the imam of the mosque. The mahal member cannot unilaterally insist for changing a religious practice that is followed in the mahal. In such case the jama-ath committee can impose reasonable restrictions over the members of the waqf for the smooth functioning of the waqf. The main prayer in the O.P is to set aside document No.2 which is the show cause notice dated 28-09-2022 issued to the petitioner's son in law and also for a direction to the 1<sup>st</sup> respondent not to obstruct the petitioner and her family from entering mosque and waqf properties. The 3 I.A.s are with regard to interim orders in implementation of the actions taken against the petitioners family and its members. Already interim orders are passed by the Board and is in existence. Interim orders already passed in the I.A.s shall continue until the disposal of the main O.P. after taking the evidence and hearing the parties.

3. IA No. 201/2023 in OP No. 220/2023 Manjalloor Kundayam Hanafy Muslim Jama-ath, Kollam  
Order not ready. Posted to 05.09.2024

4. OP No. 216/2023 Kumarapuram Muslim Jama-ath, Thiruvananthapuram  
Order not ready. Posted to 05.09.2024

5. OP No. 130/2022 Kumarapuram Muslim Jama-ath, Thiruvananthapuram  
The petition is filed by members and beneficiaries of Kumarapuram Muslim Jama-ath regarding misappropriation of fund of jama-ath and election to the jama-ath committee. The petitioner had raised severe allegation regarding the financial mismanagement of the waqf and also alleged that election is not conducted in the waqf

for the past several years. In I.A. No.153/2022 the Board had passed an order directing to conduct audit of accounts of the jama-ath and a separate order was passed restraining the jama-ath committee from conducting the election without the permission of the board. Aggrieved by the said order of the board, OP(Waqf) 31/2022 before the Hon'ble High Court of Kerala to quash the order of the chairman of the Waqf Board and there by the Hon'ble High court issued judgement appointing two Advocate Commissioner who shall be paid Rs 50,000 each as fee and Rs 15,000 as expenses from the fund of jama-ath within two weeks from the date of order to conduct election of the jama-ath. Thereby the prayer No. B and C in the main O.P. has become infructuous. Prayer No.A is to conduct audit of accounts of the jama-ath and to take further action on the basis of audit report. The Divisional Waqf Officer is already directed to conduct audit of accounts of the jama-ath and the auditor so appointed had submitted a report dated 31-10-2022. The petitioner alleged that several defects are pointed out by the auditor and the waqf had incurred huge loss due to the non keeping of proper accounts. The petitioner had sought for an over all enquiry with regard to the administration of the waqf. The respondent failed to appear before the Board and submit their version and were hence set ex-parte. The petitioner has submitted ex-parte proof affidavit along with document.

The following orders are passed on the basis of the petition and documents before the Board.

- a) The Divisional Waqf Officer, Thiruvananthapuram shall examine the audit report and call for objections and shall consider the same. He shall ensure that certification is made by the auditor with regard to the amount if any, to be recovered from the persons who are responsible for loss incurred to the waqf. After considering the objection if it is found that any amount is to be recovered the Divisional Waqf Officer shall place the matter before the Board through administrative side. The Divisional Waqf Officer shall also ensure that the defects pointed out by the auditor if any with regard to the account keeping followed by the jama-ath is cured within a time frame.
- b) An over all enquiry shall be conducted by the Divisional Waqf Officer by deputing officers regarding the administration and management of the waqf and if necessary matter shall be placed before the Board for further action.

6.	OP No. 02/2022 Pangod Puthen Pally Muslim Jama-ath, Thiruvananthapuram Order not ready. Posted to 05.09.2024
7.	OP No. 120/2021 Adoor Muslim Jama-ath, Pathanamthitta Order not ready. Posted to 05.09.2024
8.	<p data-bbox="225 398 1530 499">OP No. 04/2022 Pangod Puthen Pally Muslim Jama-ath, Thiruvananthapuram</p> <p data-bbox="225 533 1530 1973">The petitioners had filed the main O.P. seeking to create a new bye law either by amending partially or fully the byelaw created in the year 1992 and for other related relief. While this matter was pending before the Board the petitioner had filed I.A.No.133/2023 seeking to call for a general body meeting of the JAma-ath in the presence of the an observer from the Board so as to discuss the amendment proposed by the petitioner. The respondent had not submitted any counter to the petition and the petition was posted for orders. Perusal of the petition it is seen that the prayer is to direct the respondents to call for general body for discussing the amendments that is to be carried out in the existing bye-law and to depute an officer as observer in the said general body meeting. The main prayer in the O.P. is to amend the bye-law and for that the respondent had submitted counter also. In the said counter it is stated that the bye-law is proper and there is no illegal clause in the bye-law and hence they requested to dismiss the O.P. As the prayer in the I.A. and in the main O.P. is amendment of bye-law, the Board finds that a decision in this I.A. can be taken along with the main O.P. after considering the contentions of both the parties and evidences. Main O.P. is posted to 11-07-2024 for filing chief affidavit by the petitioner. I.A. will be disposed of along with main O.P.</p>

9. OP No. 174/2023 Kumarapuram Muslim Jama-ath Committee,  
Thiruvananthapuram

The petition is filed by the former president and treasurer of Kumarapuram Muslim Jama-ath Committee which is a committee in administration of Kumarapuram Muslim Jama-ath which is a waqf registered with the board as 6827/RA. It is submitted by the petitioner that earlier a petition bearing No. O.P 30/2022 was filed before the board and in the said O.P. the Board had passed an order was passed directing the Divisional Officer, Trivandrum to appoint auditor to the Jamaat and later separate order was passed restraining the petitioner from conducting the election without the permission of the board. Aggrieved by the said order of the board, OP(Waqf) 31/2022 before the Hon'ble High Court of Kerala to quash the order of the chairman of the Waqf Board and there by the Hon'ble High court issued judgement to appoint two Advocate Commissioner who shall be paid Rs 50,000 each as fee and Rs 15,000 as expenses from the fund of jama-ath within two weeks from the date of order to conduct election of the jamaat. Thereafter, 1<sup>st</sup> petitioner again approached high court by filing contempt petition against the 1<sup>st</sup> respondent committee for not releasing fund as per the direction of this Honourable Court. The 1<sup>st</sup> petitioner has received a notice issued by the 2<sup>nd</sup> respondent here in to remit an amount of Rs. 1,55,000 and Rs. 19,055 into the account of 1<sup>st</sup> Respondent for the expenses incurred for conducting cases as per the direction of the Hon'ble High Court. The petitioner contented that the notices issued by the 2<sup>nd</sup> Respondent is to harbour vengeance and animosity against the petitioners who had approached the Honourable High Court for fair conduct of election. The relief in O.P 174/2023 is sought to quash the notices issued by the 2<sup>nd</sup> Respondent in the interest of justice.

A written statement has been filed by R3 P.AShukkoor denying all the allegation sought in the petition and contented that the committee had complied with the judgement of the High Court by conducting the election under the supervision of Advocate Commissioner. But it caused huge financial loss to the Committee as the petitioner contested the case without any approval of the palliparipalana Samithi or committee. Also, the petitioner Mr. Sainudheen had been removed from the post of president as he had caused huge financial loss to the jama-ath by obtaining an order from the Hon'ble High Court to appoint Advocate Commissioner with huge fee and expenses for conducting an election in the jamaat. So, the Respondent contented that the notice issued to the petitioner to incur the loss suffered by the jamaat cannot be considered as illegal.

On perusal of the order of the Hon'ble High Court it is seen that the specific direction is given to the secretary of the waqf to pay the expenses from the jama-ath fund and there is no direction from the Hon'ble High Court to recover the expended amount from the person who had filed petition for appointing returning officer. Such an act by the respondent is not sustainable as any person interested in a particular waqf can initiate action if he finds that there is illegality or mistake in the administration. The amount expended for conducting an election in a democratic method cannot be recovered from a person who had sought the same is done taking into consideration of the interest of the waqf. A person cannot be burdened for approaching a court for justice which is his civil right and such circumstances the notice issued by 2<sup>nd</sup> respondent as per Exhibit 2 and 3 is hereby cancelled finding that the said notice is illegal.

10. OP No. 102/2021 Nannathukkav Pothenkode Muslim Jama-ath, Thiruvananthapuram

The OP was filed by the petitioners under sections 32 and 47 of the Waqf Act, 1995 seeking to audit the income –expenditure accounts of first respondent Jama-ath from 2013 to till date and to collect the amount of loss incurred from those who are responsible for the alleged loss to the Waqf and subsequent disqualification from the administration of the Waqf.

While this matter was pending before the Board the petitioners in the main OP had filed I.A.NO.127/2023 seeking to audit the accounts of the Jama-ath during the period 2013 to March 31<sup>st</sup> 2015 and also the accounts for the period after April 1 2021 till the date of the petition. According to the petitioner the accounts of the Jama-ath for the period 2015 to 2021 is audited and malpractices of crores of Rupees is found out in audit. Hence the petitioner filed this petition seeking to audit accounts for the entire period in which the respondents administered the waqf. The respondent submitted counter stating that the present committee took charge in the year 2018 and the accounts prior to 2015 is not available in the office of the waqf and are ready to submit accounts from the year 2021 to till date. The respondents prayed to dismiss the petition with cost.

The prayer of the petitioner is to audit the accounts of the jama-ath from

	<p>2013 cannot be allowed as it is not practical to call for accounts for a period more than 5 years but in this matter Board had already passed an order in the year 2021 for auditing the accounts from the year 2015. It cannot be expected that a waqf maintained its books of accounts intact for a period more than 5 years. The respondents submitted that they are ready to submit accounts from the year 2021 to till date. Hence, I.A. is partially allowed directing the Divisional Waqf Officer, Thiruvananthapuram to conduct audit of accounts of the jama-ath for the period from 2021 to 31-03-2024. The auditor so appointed shall ensure that the defects in keeping accounts pointed out in the earlier audit report is cured and shall report before the Board. The prayer to conduct audit from the year 2013 is dismissed.</p>
11.	OP No. 112/2022 Kilikolloor Siyarathumood Muslim Jama-ath, Kollam Order not ready. Posted to 05.09.2024
12.	OP No. 02/2023 Kilimannoor Central Muslim Jama-ath, Thiruvananthapuram Order not ready. Posted to 05.09.2024
13.	OP No. 32/2021 Kilikolloor Siyarathumood Muslim Jama-ath, Kollam Order not ready. Posted to 05.09.2024
14.	OP No. 100/2023 Chirayinkeezhu Muslim Jama-ath, Thiruvananthapuram Order not ready. Posted to 05.09.2024
15.	<p>OP No. 162/2023 Thattamala Muslim Jama-ath, Kollam</p> <p>O.P.140/2023 was filed seeking to pass an order restraining the respondents and their henchmen from interfering in the administration of Thattamala Muslim Jama-ath by the present committee which was elected for a period of 3 years on 22-10-2021 and to restrain the respondents from calling for general body with election as agenda and to appoint a returning officer for conducting election to the jama-ath committee. Along with the O.P. the petitioner had filed I.A.116/2023 and the Board had passed an order 25-07-2023 restraining the respondents from conducting election to the jama-ath committee without obtaining prior approval of the Board.</p> <p>O.P.162/2023 was filed by the petitioners seeking to to pass an order for conduction to the general counsel and working committee of Thattamala Muslim Jama-ath in accordance with the bye-law after preparing the voters list by appointing a returning officer.</p> <p>In both the petitions prayer is there to appoint a returning officer for conducting election to the jama-ath committee . The existing jama-ath committee admitted that their term will expire by 21-10-2024 even though the petitioners in O.P.162 were having a case that the term of the committee is already expired. Hence, Board hereby decides to appoint a returning officer for</p>



	<p>conducting election to the jama-ath committee through secret ballot system after preparing a proper voters list and after complying all procedural formalities. On the basis of above decision Adv.Nazeer Hussain is appointed as returning officer for conducting election to Thattamala Muslim Jama-ath through secret ballot system and complete the election process before 21-10-2024 so that the newly elected committee can take charge on 21-10-2024 itself. The returning officer is entitled for an initial batta of Rs.15,000/- which shall be paid by the jama-ath within 7 days of the receipt of this order. The remaining expenses for conducting election shall be met from the jama-ath funds. Both matters are disposed of accordingly.</p>
16.	<p>OP No. 180/2023 Kollor Vila Muslim Jama-ath, Kollam Order not ready. Posted to 05.09.2024</p>
17.	<p>OP No. 68/2021 Pallisserikkal Muslim Jama-ath, Kollam Heard. Allowed. Matter reopend. Posted to 05.09.2024</p>
18.	<p>OP No. 140/2023 Thattamala Muslim Jama-ath, Kollam</p> <p>O.p.140/2023 was filed seeking to pass an order restraining the respondents and their henchmen from interfering in the administration of Thattamala Muslim Jama-ath by the present committee which was elected for a period of 3 years on 22-10-2021 and to restrain the respondents from calling for general body with election as agenda and to appoint a returning officer for conducting election to the jama-ath committee. Along with the O.P. the petitioner had filed I.A.116/2023 and the Board had passed an order 25-07-2023 restraining the respondents from conducting election to the jama-ath committee without obtaining prior approval of the Board.</p> <p>O.P.162/2023 was filed by the petitioners seeking to to pass an order for conduction to the general counsel and working committee of Thattamala Muslim Jama-ath in accordance with the bye-law after preparing the voters list by appointing a returning officer.</p> <p>In both the petitions prayer is there to appoint a returning officer for conducting election to the jama-ath committee . The existing jama-ath committee admitted that their term will expire by 21-10-2024 even though the petitioners in O.P.162 were having a case that the term of the committee is already expired. Hence, Board hereby decides to appoint a returning officer for conducting election to the jama-ath committee through secret ballot system after preparing a proper voters list and after complying all procedural formalities. On the basis of above decision Adv.Nazeer Hussain is appointed as returning officer for conducting election to Thattamala Muslim Jama-ath through secret ballot system and complete the election process before 21-10-2024 so that the newly elected committee can take charge on 21-10-2024 itself. The returning officer is entitled for an initial batta of Rs.15,000/- which shall be paid by the jama-ath within 7 days of the receipt of this order. The remaining expenses for conducting election shall be met from the jama-ath funds. Both matters are disposed of accordingly.</p>
19.	<p>OP No. 10/2015 Rifayee Juma Masjid, Kollam Adv. Jabbar for 5<sup>th</sup> respondent. For statement. Posted to 05.09.2024</p>
20.	<p>OP No. 46/2016 Palode Muslim Samajam, Thiruvananthapuram The counsel for the petitioner reported no instruction. For orders. Posted</p>

	to 05.09.2024
21.	OP No. 10/2019 Kollam Pattalath Pally, Kollam Petitioner submitted no instruction. For orders. Posted to 05.09.2024
22.	OP No. 14/2020 Chilakkoor Muslim Jama-ath, Kollam Respondent filed argument notes. For argument notes of the petitioner. Posted to 11.07.2024
23.	OP No. 42/2021 Tajul Islam Jama-ath, Kollam Adv. Badarudeen filed vakkalath for petitioner. Adv. Shajahan filed vakkalath for R3. For steps. Posted to 11.07.2024
24.	OP No. 26/2021 Umayanalloor Vadakkumkara Muslim Jama-ath, Kollam Petitioner counsel reported that 1 <sup>st</sup> petitioner is no more. For steps. Objection to audit report. Posted to 11.07.2024
25.	OP No. 28/2021 Vallakkadav Muslim Jama-ath, Thiruvananthapuram For orders. Posted to 05.09.2024
26.	OP No. 92/2021 Edava Muslim Jama-ath, Thiruvananthapuram The respondent committee submitted memo undertaking to hand over draft voters list, subscription list sensus form to the executive officer within 2 weeks from today. The executive officer shall hand over said documents to the returning officer and Returning officer shall incorporate the draft voters list submitted by the R4. For report of the Returning officer. Posted to 05.09.2024
27.	OP No. 14/2022 Manakkad Valiya Pally Muslim Jama-ath, Thiruvananthapuram Proof affidavit of the respondent as last chance. Posted to 11.07.2024
28.	IA No. 229/2022 in OP No. 68/2013 Ochira Thanveerul Islam Sangham, Kollam IA No. 228/2022 not pressed. For counter in IA No. 229/2022. For counter in IA No. 170/2024. Posted to 05.09.2024
29.	OP No. 64/2022 Thirumala Muslim Jama-ath, Thiruvananthapuram No batta paid. Order not complied. OP dismissed.
30.	OP No. 46/2022 Peyad Hidayathul Islam Muslim Jama-ath, Thiruvananthapuram Chief affidavit filed. Adv. Shifa is appointed as advocate commissioner. Batta Rs. 2000/- per day per witness. For commission report. Posted to 05.09.2024
31.	IA No. 245/2023 in EP No. 2492/2018/TVM Kollam Polayathode Pareediya Masjid Muslim Jama-ath, Kollam Objection to IA No. 109/2024. For appearance of both parties. Posted to

	05.09.2024
32.	OP No. 164/2023 Anchal Muslim Jama-ath, Kollam Allowed. For return of notice to R5 and 12. For production of documents. Posted to 11.07.2024
33.	OP No. 62/2023 Karalikonam Karakkal Muslim Jama-ath, Kollam For counter of R1 to R3. IA No. 172/2024 respondent 1 to 3 two documents. For counter in IA No. 172/2024. For preliminary hearing. Posted to 11.07.2024
34.	OP No. 188/2023 Kattumurakkal Muslim Jama-ath, Thiruvananthapuram Audit report filed. Counter filed in IA No. 165/2023 and IA No. 166/2023. For counter in IA No. 162/2024. Counter in OP filed. IA No. 162/2024 notice given. For counter. Posted to 11.07.2024
35.	OP No. 272/2023 Punnala Muslim Jama-ath, Kollam The counsel for the respondent submitted that the order of the Board had complied. Further action is not required. OP closed.
36.	OP No. 248/2023 Manakkattupuzha Muslim Jama-ath, Kollam Call on. Mediation. Posted to 11.07.2024
37.	EP No. 2987/2019/TVM Anappuzhakkal Muslim Jama-ath, Kollam For commission report. Posted to 05.09.2024
38.	OP No. 28/2024 Ithikkara Muslim Jama-ath, Kollam Statement filed by the Jama-ath committee. For orders. Posted to 11.07.2024
39.	OP No. 38/2024 Perunkuzhi Muslim Jama-ath, Thiruvananthapuram Heard. For orders. Posted to 11.07.2024
40.	OP No. 44/2024 Mylapore Muslim Jama-ath Committee, Kollam Counter filed. Petitioner produced high court order as IA No. 48/2024 and IA No. 49/2024 has to be disposed of within 6 weeks. Heard for orders. Posted to 11.07.2024
41.	OP No. 48/2024 Kilikolloor Thekkumkara Muslim Jama-ath Committee, Kollam Counter filed. Put up the Retuning officer report in the file of OP No. 10/2022. Call on 11.07.2024
42.	OP No. 2/2024 Balaramapuram Town Muslim Jama-ath, Thiruvananthapuram For Razi. Posted to 11.07.2024
43.	OP No. 56/2024 Mavalli Muslim Jama-ath, Kollam For orders IA No. 58/2024. IA No. 110/2024 counter filed. For orders. For counter in IA No. 163/2024. Posted to 11.07.2024
44.	OP No. 170/2023 Sayed Usman Sahib Memorial Madrassa Nooru Ul

	Islam Association, Thiruvananthapuram For filing chief affidavit. Respondent is directed to produce election document. Posted to 11.07.2024
45.	OP No. 240/2023 N. M. A. Hanafy Jama-ath, Kollam IA No. 256/2023 allowed. The returning officer is directed to produce documents. For counter in IA No. 164/2024. For counter in IA No. 257/2023. For counter in IA No. 165/2024. Posted to 11.07.2024
46.	OP No. 164/2022 Karamana Muslim Jama-ath, Thiruvananthapuram IA No. 173/2024 reopening petition allowed. Additional documents produced. For commission report. Posted to 05.09.2024
47.	OP No. 02/2021 Kilikolloor valiya Pally Muslim Jama-ath, Kollam For objection to audit report. Posted to 11.07.2024
48.	OP No. 110/2023 Kilikolloor Valiya Pally Muslim Jama-ath, Kollam Exparte affidavit. Filed Exhibit A1 to A5 marked. For orders. Posted to 11.07.2024
49.	OP No. 124/2023 Neeravil Muslim Jama-ath, Kollam Exparte affidavit filed. For orders. Posted to 11.07.2024
50.	OP No. 182/2023 Palayam Muslim Jama-ath, Thiruvananthapuram IA No. 34/2024 petition allowed on payment of cost. Cost paid. For steps and affidavit. Posted to 11.07.2024
51.	OP No. 10/2024 Paravoor Muslim Jama-ath, Kollam For R1 to R5 adv. Sajal proposed fresh vakkalath. For counter of R1 to R6. For counter in IA No. 20/2024. (IA No. 21/2024 closed). Posted to 11.07.2024
52.	OP No. 42/2024 North Mynagappally Muslim Jama-ath, Kollam For counter. Posted to 11.07.2024
53.	OP No. 126/2022 Mylapore Muslim Jama-ath, Kollam Along with OP No. 44/2024. Petition enclosed to conduct election on the basis of new scheme. For orders. Posted to 11.07.2024
54.	OP No. 146/2017 Vanmeni Muslim Jama-ath, Kollam Await records of the Tribunal. Posted to 05.09.2024
55.	OP No. 90/2024 Kilikolloor Thekkumkara Muslim Jama-ath, Kollam Adv. Sajal appearing for respondents 1 to 11. Adv. Noushad filed vakkalath for R12, R14 and 15, 16 and 17. Notice to R13 served. Name called. Set exparte. For counter. Posted to 05.09.2024
56.	OP No. 108/2024 Kurinjilakkad Muslim Jama-ath, Thiruvananthapuram Respondent committee filed statement admitting the OP claim to conduct election. Adv. Zikandar is appointed as Returning officer. The respondent committee shall pay Rs. 25000/- as initial batta. For report of

	Returnin officer. Posted to 05.09.2024
57.	AA No. 100/2024 Pulluvila Muslim Jama-ath, Thiruvananthapuram Heard. For orders. Posted to 11.07.2024
58.	AA No. 102/2024 Salafy Jama-ath, Kollam Heard. For orders. Posted to 11.07.2024
59.	AA No. 104/2024 Chittar Town Muslim Jama-ath, Pathanamthitta Heard. For orders. Posted to 11.07.2024
60.	AA No. 106/2024 Padavankode Muslim Jama-ath, Thiruvananthapuram Heard. For orders. Posted to 11.07.2024
61.	OP No. 128/2023 Kappukad Muslim Jama-ath Committee, Thiruvananthapuram Adv. Sadique reports no instruction. Adv. Shajan filed fresh vakkalath for the petitioner. For R1 Rafeek offered vakkalath. For hearing. Posted to 05.09.2024
62.	OP No. 116/2024 Kuruvani Muslim Jama-ath, Thiruvananthapuram Issue notice to the respondents. Posted to 05.09.2024
63.	OP No. 112/2024 Chinnakkada Muslim Jama-ath, Kollam Issue notice. Posted to 05.09.2024
64.	OP No. 114/2024 Aayiram Thengu Muslim Jama-ath, Kollam IA No. 168/2024 Heard. The petitioner had made out a prima faice case. The respondents are restrained from conduction election without prior permission of Board. IA No. 169/2024 Heard. The petitioner had made out a prima facie case. The responden shall not deny the petitioner any services from the Jama-ath that is provided to its members. He shall not be prevented from entering the mosque. IA No. 171/2024 Heard. The Divisional Waqf Officer is directed to conduct audit of accounts of the Jama-ath for the period of 2018-2019 to 2023-2024. For audit report. Posted to 05.09.2024
65.	IA No. 73/2023 & 74/2023 in OP No. 86/2023 Kanjiramchira Muslim Jama-ath Salamathul Iqwaan Juma Masjid Mahallu, Alappuzha  The petitioner herein had filed this OP under Sections 32, 63 & 70 of the

Waqf Act 1995 to institute an inquiry into administration and management of the 1<sup>st</sup> respondent committee, to conduct election to the management under the direct supervision and control of Board and appoint an officer as Muthawalli of the 1<sup>st</sup> respondent jama-ath and its properties until a new managing committee is constituted after a fair and proper election.

The petitioner had filed two Interlocutory Applications No. 73/2023 and 74/2023 inter alia for appointing a Returning Officer to conduct the election and for appoint interim Muthavalli to the 1<sup>st</sup> respondent.

The main allegations of the petitioner against respondents 2 to 4 are that, the last election to the 1<sup>st</sup> respondent was held in 2016, but due to various contingencies, the then elected President, Secretary and some other elected members resigned from their posts. Utilizing this situation the respondents 2 to 4 themselves assumed the posts of Secretary, Joint Secretary, and Treasurer respectively. The petitioner alleges that the 2<sup>nd</sup> respondent is a person having criminal background and a crime is registered against him under S. 302 of IPC. The respondents 2 to 4 are unscrupulous persons and high handed men and they even attacked the petitioner physically for questioning the mal administration of management. Petitioner had filed a police complaint against the respondents. From 2016 onwards the respondent's 2 to 4 were not conducted general body meeting, no accounts were audited, huge funds of the jama-ath with related to English medium school were misappropriated and even tried to alienate the Waqf property deed bearing No. 1574/1995 to third parties.

Notices were issued to the respondents to appear before the Board and submit their version, but they failed to comply with the direction in the notice and had not submitted their counter. Board perused the documents produced by the petitioner and it is seen that he had not produced any scrap of paper so as to prove that term is committee is over and had not properly submitted the reason for appointing an interim mutawalli. The prayers in both the I.A.s are the prayers in the main O.P. itself and can only be decided after conducting a proper enquiry by the Board. Hence, Board finds that prayers in both these petitions can be considered in the main O.P. after obtaining a report from the concerned Divisional Waqf Officer. In the light of the above finding both the I.A.s stands dismissed. Posted to 07.08.2024

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