

Abdul Rasheed vs Dilshad

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Court : Kerala Orders

Decided On : Mar-27-2025

Judge : Honourable Mr. Justice Amit Rawal,Honourable Mr.Justice K. V. Jayakumar

Appeal No. : CRP(WAKF)/13/2025

Appellant : Abdul Rasheed

Respondent : Dilshad

Judgement :

CRP(WAKF) NO. 13 OF 2025 1

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE AMIT RAWAL & THE HONOURABLE MR.JUSTICE K. V. JAYAKUMAR THURSDAY, THE 27TH DAY OF MARCH 2025 / 6TH CHAITHRA, 1947 CRP(WAKF) NO. 13 OF 2025 AGAINST THE ORDER DATED 03.02.2025 IN WOA NO.73 OF 2021 OF WAKF REVISION PETITIONER(S)/PETITIONERS/RESPONDENTS 5 AND 6: 1 ABDUL RASHEED AGED 56 YEARS S/O. MUHAMMED KUNJU, AMBALAM VILA VEEDU, KERALAPURAM, PERUMBURZHA P.O, ILAMBALLUR

VILLAGE, KOLLAM-, PIN - 691504 2 NAZARUDEEN S/O. ABDUL ASEEZ, HYFA MANZIL, PUTHANVEEDU, ROADUVILA, PERUMBUZHA P.O, ILAMBALLUR VILLAGE, KOLLAM, PIN - 691504 BY ADVS. K.ANAND P.E.SAJAL GOWRI MENON NANDHANA T.B. ARCHANA N. RESPONDENT(S)/RESPONDENTS/PETITIONER AND RESPONDENTS 1 TO 4 AND 7 AND ADDITIONAL RESPONDENTS 8&9: 1 DILSHAD AGED 48 YEARS S/O. ABDUL LATHEEF, PUTHANKADATHEKATHIL VEEDU, PERUMPUZHA P.O,

2 KERALAPURAM MUSLIM JAMA-ATH REPRESENTED BY ITS PRESIDENT, MASHHOOR KOYA, S/O. MUHAMMED HANEEFA, AGED 62 YEARS, KUTTIYIL VEEDU, PERINAD VILLAGE, VELLIMAN P.O, KERALAPURAM, PIN - 691504 3 KERALAPURAM MUSLIM JAMA-ATH REPRESENTED BY ITS GENERAL SECRETARY, ABDUL LATHEEF, S/O. AHAMMED PILLA, AGED 62 YEARS, KARIPPAYIL, PERUMBUZHA P.O, CRP(WAKF) NO. 13 OF 2025 2 4 MASHHOOR KOYA S/O. MUHAMMED HANEEFA, AGED 62 YEARS, KUTTIYIL VEEDU, PERINAD VILLAGE, VELLIMAN P.O, KERALAPURAM., PIN - 691504 5 ABDUL LATHEEF S/O. AHAMMED PILLA, KARIPPAYIL, PERUMPUZHA P.O, LLAMBALLUR VILLAGE, KOLLAM, PIN - 691504 6 KERALA STATE WAQF BOARD REPRESENTED BY ITS CHIEF EXECUTIVE OFFICER, KALOOR, KOCHI, ERNAKULAM DISTRICT., PIN - 682017 7 ABDUL JABBAR, AGED 54 YEARS S/O. ABDUL ASEES, VARUPURAYIDATHIL VEETIL, MAMOOD, CHANDANATHOPPU P.O, PERINAD VILLAGE, KOLLAM TALUK, KOLLAM DISTRICT, PIN - 691504 8 MANSOOR. S AGED 49 YEARS S/O. SHAMSUDHEEN, THOTTATHIL HOUSE, PERUMPUZHA P.O, KOTTAMKARA VILLAGE, KERALAPURAM DESOM, KOLLAM TALUK, KOLLAM DISTRICT, PIN - 691504 9 ABDUL KHADER KUNJU AGED 52 YEARS , S/O. SULAIMAN KUNJU, VARUPURAYIDATHIL VEETIL, MAROOD, KOTTARAKKARA AMSOM, PERUMPUZHA DESOM, KOLLAM DISTRICT, PIN - OTHER PRESENT: SRI JAMSHEED HAFIZ SC WAQF THIS CRP (WAKF ACT) HAVING BEEN HEARD ON 27.03.2025, THE COURT ON THE SAME DAY DELIVERED THE

JUDGMENT

Amit Rawal, J.

Petition is dismissed as withdrawn permitting the petitioner to approach the Tribunal by election petition. If election petition is filed within 15 days from the date receipt of a copy of this judgment, the objection qua limitation shall stand condoned. AMIT RAWAL sab K. V. JAYAKUMAR CRP(WAKF) NO. 13 OF 2025 4 APPENDIX OF CRP(WAKF) 13/2025 PETITIONER ANNEXURES Annexure A TRUE COPY OF THE OA NO. 73/2021 (EXCLUDING DOCUMENTS) DATED 08.12.2021 FILED BY THE 1ST RESPONDENT BEFORE THE HONORABLE WAKF Annexure B TRUE COPY OF THE DIRECTION GIVEN BY THE

WAKF BOARD IN OP NO. 109/2010 FOR 2ND RESPONDENT JAMA ATH DATED 19.12.2013 ALONG WITH ENGLISH TRANSLATION Annexure C TRUE COPY OF THE RELEVANT PAGES OF THE BYLAW ENUMERATING CLAUSE NO. 6 WITH REGARD TO SUBMISSION OF A PANEL ALONG WITH ENGLISH TRANSLATION Annexure D TRUE COPY OF THE ORDER IN W.O.A 73/2021 DATED 08-02-2024 OF THE HONORABLE WAKF Annexure E TRUE COPY OF THE REPORT SUBMITTED BY THE RETURNING OFFICER BASED ON THE ALLEGED ELECTION CONDUCTED DATED 15.06.2024 IN W.O.A 73/2021 BEFORE THE HONORABLE WAKF TRIBUNAL, KOZHIKODE ALONG WITH ENGLISH TRANSLATION Annexure F TRUE COPY OF THE ORDER IN IA NO. 510/2024 IN WOA NO. 73/2021 OF THE WAQF TRIBUNAL, KOZHIKODE DATED 26.06.2024 ALONG WITH TYPED COPY Annexure G TRUE COPY OF THE ORDER IN CRP(WAKF) NO. HIGH COURT

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