

A Diary 20.09.2025

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	<u>Case No. –Name andProceedings</u>
1	OP.No.29/2022-Kasargode Dist-Hosdurg Taluk-PallikkaraKhidmathul Islam Jama ath Order pronounced vide separate order sheet in IA 360/2025. Posted to 25.11.2025 . The above original petition is filed by the one Shoukath Ali against Khidmathul Islam Jamaath represented by its secretary and President under section 32, 67,68 and 70 of the Waqf Act 1995 for appointing an Advocate Commissioner for conducting election to the above Waqf as per byelaw and for other ancillary reliefs. Along with OP the petitioner has filed an IA.No.42/2022 seeking to restrain the respondents from conducting meeting to elect the working committee members which is scheduled to be held on 18.03.2022 and the above application was allowed and officer in-charge, Extension Counter, Kasaragode was directed to appoint an observer and file report attending the general body meeting. There after the respondent appeared and filed counter denying the allegations made in the petition. Meanwhile the petitioner had filed another application numbered as IA.208/2023 to appoint a returning officer and as the respondents have no objection in allowing the above application, the same was allowed and Adv. Janise was appointed as returning officer for conducting election to the Mahallu Jama-ath. He heard the affected parties with respect to the objections raised regarding the election and he had filed interim report stating that there exists a dispute with respect to the mode of election as to whether the election has to be conducted on the basis of the bye law or on the basis of the Waqf deed which contains a scheme for the administration of the above Waqf, and hence he sought for a diction from the Board. On the basis of the above report both the Petitioners and respondents were heard in detail and the Returning Officer is directed to conduct the election

strictly in accordance with the provisions of the Waqf deed No. 3036/1987 within a period of 2 months from the date of the order and posted for the report of retuning officer.

On 27.08.2025 the retuning officer filed the interim report stating that the Advocate Commissioner visited Poochakkad Khidmathul Islam Jamaath Palli and as per the notices affixed in the notice board of the mosque it is learned that the Mahal is being administered by a 6 member management committee. It is also stated in his report that there is no voters list or membership register kept on the basis of the stipulations made as per the Waqf deed. On 12.07.2025 a discussion was held at committee office, after giving notice to the aforementioned six members, petitioner and respondent in the above case regarding the election, and in the above meeting a fresh dispute arose regarding the boundaries of the Mahal, and regarding the rate of membership fee and the issued was not able to solve in the meeting. It is reported that the election process will be delayed as many hurdles like fixation of mahal boundaries, membership fees and probability of dispute regarding such issue, and also for the fact that it is not possible to the returning officer to travel all the way from Thalassery to Poochakkad situated at Kasaragode District the present returning officer is desires of removing from the duties of returning Officer.

At this juncture the petitioner herein who is the respondent no.4 in the main OP had filed the above application for appointing an Interim Muthavalli for administering the above Waqf for various reasons such as the so called administration of the waqf by the six unauthorized person, that they are misusing. and misappropriating the income of the above waqf etc,. While the above petition came up for hearing, the respondents in the above application conceded the request for appointing an interim muthawalli and the same is endorsed on the petition as the respondent has no objection in the application.

	On going through the file it could be find that the returning officer was initially appointed on 20/06/2023 and he is not able to initiate the election process so far due to various reasons in spite of the fact that he was given specific direction to complete the election within 2 months from the date of order and that six persons who have no authority to manage the above waqf is managing the above waqf. The Board feels that there is a vacuum in the office of the above waqf and where there is a vacuum of administration, it is highly necessary to appoint an interim muthawalli in the interest of Justice. Hence it is fit case to appoint an interim muthawalli as provided under section 63 of the Waqf Act, 1995 to administer and manage waqf, till an elected committee assume office. In the above circumstances the petition is allowed and Thufail Master, Bakel Junction, Bekal Fort, Pin-671316, Kasargide Dt is appointed as interim Muthawalli of the Waqf Khidmathul Islam Jama-ath Poochakkad, Kasaragode for a period of 6 months from the date of receipt of this order or the completion of election process and handing over charge to the newly elected committee. He is entitled for a monthly remuneration of Rs.15,000/- which shall be drawn from the Jama-ath funds. If any clarification is needed with regard to the administration of the waqf the interim mutawalli shall approach the Chief Executive Officer for guidance. If no proper committee could be elected within the time span for which the Interim Mutawalli is appointed, he can file application for extension of time granted.
2	AA 587/2025-Kannur Dist-Thalasseri Taluk-SivapuramMeethalJuma Masjid & Madrassa Order pronounced vide separate order sheet. The present appeal under section 72(7) of the Waqf Act, 1995 to set aside the assessment order passed by the assessing authority and to pass a fresh order in this regard is submitted by General Secretary, Shivapuram Meethal Juma Masjid &

Madrassa Committee, PO- Shivapuram, Via- Mattannur, Kannur-670702

The amount of contribution assessed by the assessing authority on best judgment basis for the years 2011-2012 to 2018-2019 is at Rs.1,86,906.00/- The appellant has paid an amount of Rs.62,302/- towards the 1/3rd of the disputed amount as provided under the Kerala State Waqf Rules 2019.

The appellant had averred in the appeal memorandum that the Committee is not having any income to pay the contribution amount fixed by the Board. Hence they pray for setting aside the assessment order passed by the assessing authority. The appellant has submitted return for the disputed year along with the appeal.

On verification of the office records it is seen that the best judgment assessment order for the disputed years were issued to the appellant since no return was submitted before the assessing authority at appropriate time even after receipt of the show cause notice issued by the assessing authority. Even though the notice issued by the assessing authority has been received and no return was submitted by the appellant, the Board feels that a lenient view can be taken in the case of assessment of the above Waqf.

Hence the above appeal has been remanded back to the assessing authority for a fresh disposal and the assessing authority is directed to re-assess the accounts of the Waqf for the appeal period in accordance with the Act, Rules and Regulations after considering the returns submitted along with the appeal memorandum. If the assessing authority is not satisfied with the accounts submitted along with this appeal, the authority is free to call for the supporting books and documents. The appellant is further directed to submit the true and correct statement of accounts before the Board in time.

The above appeal is disposed with the above direction.

3	AA 599/2025-Kannur Dist-Manal PalliNusrathudheenDars Order pronounced vide separate order sheet. The present appeal under section 72(7) of the Waqf Act, 1995 to set aside the assessment order passed by the assessing authority and to pass a fresh order in this regard is submitted by General Secretary, Manalpalli Nusrathudheen Daras Committee . PO- Edakkad, Muzhappilangad, Kannur-670663 The amount of contribution assessed by the assessing authority on best judgment basis for the years 2015-2016 to 2019-2020 is at Rs.2,14,617.00/- The appellant has paid an amount of Rs.71,539/ - towards the 1/3rd of the disputed amount as provided under the Kerala State Waqf Rules 2019. The appellant had averred in the appeal memorandum that the Committee is not having any income to pay the contribution amount fixed by the Board. Hence they pray for setting aside the assessment order passed by the assessing authority. The appellant has submitted return for the disputed year along with the appeal. On verification of the office records it is seen that the best judgment assessment order for the disputed years were issued to the appellant since no return was submitted before the assessing authority at appropriate time even after receipt of the show cause notice issued by the assessing authority. Even though the notice issued by the assessing authority has been received and no return was submitted by the appellant, the Board feels that a lenient view can be taken in the case of assessment of the above Waqf. Hence the above appeal has been remanded back to the assessing authority for a fresh disposal and the assessing authority is directed to re-assess the accounts of the Waqf for the appeal period in accordance with the Act, Rules and Regulations after considering the returns submitted along with the appeal memorandum. If the assessing authority is not satisfied with the accounts
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	submitted along with this appeal, the authority is free to call for the supporting books and documents. The appellant is further directed to submit the true and correct statement of accounts before the Board in time. The above appeal is disposed with the above direction.
4	OP 57/2022-Kasaragode Dist-NeeleswaramTharbiyathul Islam Sabha IA 301/2025- Counter filed IA 168/2025 For counter For argument notes, Posted to 28/10/2025.
5	OP 41/17 KannurDist -Taliparamba Taluk-Vengad Jama-athPalli. Commission Report finally, Posted to 28/10/2025.
6	OP 83/2024-Kasaragode Dist-PadannaNazarathu Islam Jamaath Committee. IA 302/2025, IA 303/2025, IA 304/2025- For argument notes- Posted to 25/11/2025.
7	OP 11/2025-Kannur Dist-Irikkur-Kerala Nadvathul Mujahideen. For steps finally- Posted to 25/11/2025.
8	OP 105/2024-Kasaragode Dist-Kasaragode Taluk-MuttamIhyaul Islam Sabha. For further mediation- Posted to 25/11/2025.
9	OP 227/2023-Kannur Dist-PayyannurTaluk-MadayiPalliJama-athCommittee. Audit report received. IA 379/2025 filed. For objection to audit report, Posted to 25/11/2025.
10	OP 153/2023-Kannur Dist-Thajul Islam Jama-ath Committee, Pulingom Await audit report. Auditor is not responded despite four notice issued. Repeat notice for personal appearance of auditor. Posted to 28/10/2025.
11	OP 231/2023- Kannur Dist-Thajul Islam Jama-ath Committee, Pulingom OP not pressed. Dismissed.
12	OP 265/2024-Kasaragode Dist-PallippuzhaMushiyudheen Jama-ath. Await audit report. Memo filed stating that the required documents submitted with auditor. Posted to 25/11/2025.
13	OP 533/2025-Kasaragode Dist-Bekkal-Manarul Islam Muslim Jama-ath Committee For audit report and counter in IA & OP, Posted to 25/11/2025.
14	OP 97/2024- Kannur Dist-Kannur Taluk- MammakkunnuIzzathul Islam Association Await Audit report, Posted to 28/10/2025.
15	OP 311/2016 -KannurDist.-KaliyasseryMangadNoorulHidayacommittee For hearing, Posted to 25/11/2025.
16	OP 261/2023-Kannur Dist-Taliparamba Taluk-MangadNoorulHidaya Committee. Counter filed in IA 370/2025. Posted to 25/11/2025.
17	OP 159/2023-Kannur Dist-ThalasseriTaluk-NilayilattPalliMakham Madrassa. For Commission Report. Posted to 25/11/2025.
18	OP 147/2023-Kasaragode Dist-Kaikkottkadavu Muslim Jamaath Committee.

	For argument notes in IA 165/2025. Heard both sides. For orders, Posted to 25/11/2025.
19	OP 25/2023-Kannur Dist-Koothuparamb Taluk-Kottayam Mahal Muslim Jamaath Committee. Call on 25/11/2025.
20	OP 195/22 – Kannur Dist.- Thalassery Taluk – Kottayam Mahallu Muslim Jama-ath Committee. Call on 25/11/2025.
21	OP 9/2025-Kannur Dist-Kottayam Mahallu Muslim Jama-ath. Call on 25/11/2025.
22	OP 11/2020-Kannur District-Payyannur Taluk-Hidayathul Islam Jama'ath Committee, Pavor. For Commission Report. Posted to 25/11/2025.
23	EP (A8)-516/2023/KKD-KasaragodeDist-Kasaragode Taluk-ChattanchalBadarJuma Masjid. For appearance of construction committee,Engineers and committee. Posted to 28/10/2025.
24	OP 7/2025-Kannur Dist-Thalasseri Taluk-PanniannoorMasalihul Islam Sangham. Call on 25/11/2025.
25	EP (A6) 3408/00 Kannur Dt- Thalipparamba taluk-IrikkurKunnummalPalliMakham. For argument notes, Posted to 28/10/2025.
26	OP 171/16 Kannur-Thalassery Taluk-Iruvatti-NilayilattuPalliMakham Madrassa Paripalana Committee With connected OP and objection to Divisional Officer's report. Posted to 25/11/2025.
27	OP 73/22- KannurDist.-TaliparambaTaluk- TaliparambaJumaathPalli Trust Committee. IA 305/2025 no counter. Heard. For orders, Posted to 25/11/2025.
28	OP 483/2025-Kasaragode Dist-Hosdurg Taluk-Kottikkulam Jama-ath Committee. Counter of R3. Office shall put up audit report already audited in OP 15/2023. Auditor is directed to conduct the audit only for the period 2022 to 2025. Posted to 25/11/2025.
29	OP 177/2024-Kasaragode Dist-PoochakkadQidmathul Islam Jama-ath. IA 306/2025. For hearing, Posted to 25/11/2025.
30	OP 9/2024-Kasaragode Dist-PallippuzhaMuhiyudheenJuma-ath Committee Counter on the objection to audit report. For orders on the point of objections over the audit report. Posted to 25/11/2025.
31	OP 156/2019-Kannur Dist-Thalasseri Taluk-PadannakkaraJumuathPalli Mahal Committee. Put up before the administrative side.
32	OP 551/2025-Kasaragode Dist-Mannamkuzhi Muslim Jama-ath Committee For orders. Posted to 25/11/2025.
33	OP 585/2025- Kannur DT- Thalassery Taluk-PannyannoorJuma Masjid

	R3 & R4 filed counter in OP. For counter of R1 & R2. Documents as directed has produced with auditor. For audit report and counter. Posted to 25/11/2025.
34	OP 487/2025-Kasaragode Dist-MuttamIhyaul Islam Jama-ath For steps, Posted to 25/11/2025.
35	OP 489/2025-Kasaragode Dist-MangaladukaNamaskaraPalli Committee For steps, posted to 25/11/2025.
36	OP 63/2025- Kannur Dt- Thalassery Taluk- VengaadJumaathPalliDars Madrassa Committee. Notice to committee to effect payment served. Put up before the administrative side.
37	OP 579/2025-Kannur Dist-CheruthazhamPilatharaBadarJuma Masjid & Sirajul Islam Madrassa Committee Notice to R1 & R2 served. Adv. Haneefa filed vakalath. For counter in IA 382/2025, IA 384/2025. IA 278/2025 already ordered. For counter in IA 279/2025 & IA 280/2025. IA 383/2025 Heard. Allowed. Policy decisions shall not be decided by the committee. Posted to 28/10/2025.
38	OP 593/2025-Kannur Dist-Mavileri Muslim Jama-ath Committee Adv. Anil Kumar propose vakalath for R1 & R2. IA 317/2025, IA 318/2025, IA 319/2025- For counter and hearing. Commission report filed. For objections to Commission Report. Posted to 28/10/2025.
39	OP 609/2025- Kannur Dt- PeringathurJumaathPalliParipalana Committee Issue notice to all the respondents. Posted to 25/11/2025.
40	IA 380/2025 in OP 115/2024- Malappuram Dt-Tirurangadi Taluk-Parappur Tharbiyathul Islam Sangham IA 380/2025- Advance petition- Allowed IA 381/2025- Re- opening petition- Posted to 07/10/2025.