

A DIARY
Dated: 17.09.2025

1.	EP No. (A3) 3338 & 3339/CR Haji Essa Haji Moosa Sait and Jan Muhammed Haji Eassa Sait Trust, Ernakulam Order not ready. Posted to 10.12.2025
2.	OP No. 40/2014 Mulavoor Central Mahallu Jama-ath, Ernakulam Order not ready. Posted to 10.12.2025
3.	OP No. 60/2024 Hyderiya Masjid Mahallu Committee, Palakkad 1. The above Original Petitions are filed under Sections 32, 70 and 71 of the Waqf Act, 1995 seeking (i) appointment of a Returning Officer to conduct election to the Hyderiya Jama-ath Committee, (ii) audit of the accounts of the Jama-ath and overall enquiry into its administration, and (iii) consequential directions to restrain unauthorized elections. 2. The records available in this office show that pursuant to O.S. No.30/1969 of the Sub Court, Ottappalam, this Board finalised a scheme on 11.12.1976 under the then Waqf Act, 1954. The scheme, framed on the basis of court directions, provided for a 15-member committee consisting of 14 members elected by the Jama-ath and one member representing the hereditary Mutawalli family. An election was thereafter conducted under the supervision of a Returning Officer appointed by the Board itself, and since then the affairs of the Jama-ath have been continuously administered by elected committees under the scheme. This arrangement is in conformity with the proviso to Section 69(2) of the Waqf Act, 1995. 3. The respondents contended that under the waqf deed of 1922 (Doc. No.2159/1922, SRO Ottappalam), the office of Mutawalli was made hereditary and hence succession must devolve on the lineal descendants of the waqif. Reliance was placed by the respondent on various judgments to argue that where a founder prescribes hereditary succession, such a clause is binding. According to them, the Waqf Act

recognizes hereditary Mutawallis and the Board has power to appoint only where such succession fails. But none of the judgments refers to a situation when scheme is framed by the Board as per direction of court and election is conducted on the basis of scheme and even after expiry of more than 49 years same is not set aside.

4. These contentions are untenable. The validity of the hereditary clause and administration of the waqf were already considered in O.S. No.30/1969, culminating in a decree directing democratic administration under a scheme to be framed by the Board. That decree attained finality, no appeal having been preferred for over five decades. The scheme framed on 11.12.1976 preserves hereditary representation by reserving one seat for the Mutawalli family while entrusting administration to an elected committee. This complies with Section 69(2) proviso. The scheme has been implemented consistently since 1978, with elections supervised by the Board and accounts accepted. The Honourable High Court of Kerala in **CRP No.651/2010 (judgment dated 30.01.2019)** upheld the jurisdiction of the Board to frame such a scheme and vest administration in an elected body. The said judgment is produced by the petitioner before the Board and it is found that it is applicable in this matter.
5. The reliance on Section 63 is misplaced, as that provision operates only where no Mutawalli is available under the deed. Here, a valid and binding scheme under Section 69 exists and has been continuously acted upon, securing representation to the Mutawalli family. The respondents, having accepted and acted under elected committees for decades, are estopped from disputing the same at this stage.
6. In **O.P. No.60/2024 and O.P. No.64/2024**, filed separately but with identical prayers for appointment of Returning Officer and for audit/enquiry, the Board has already observed that the question of Returning Officer depends on the determination of a valid committee's existence, while audit and enquiry are statutory duties of the Board under Sections 32 of the Act. Hence Board finds that both Original Petitions

can be decided on the basis of the finding above. These petitions were heard together and are disposed of by this common order.

7. Accordingly, on the basis of the above finding that a valid and binding scheme under Section 69 exists and has been continuously acted upon, securing representation to the Mutawalli family the Board issues the following directions:

(a) Adv. **Mohammed Shaffi** is appointed as Returning Officer to conduct the election to the Hyderiya Jama-ath Committee. The election shall be conducted by secret ballot strictly in accordance with the bye-law and the approved scheme. Fourteen members shall be elected by the Jama-ath members, and the Mutawalli shall be part of the committee as the fifteenth member. The petitioner shall pay an initial batta of **Rs.25,000/-** to the Returning Officer. All further expenses shall be met from Jama-ath funds. The Returning Officer may fix a nomination fee not exceeding **Rs.2,000/-** per candidate. The election shall be conducted after following all procedural formalities including preparation of the voters' list, scrutiny of nominations, polling and declaration of results, and shall be completed within **three months** from the date of this order. The present committee, including the Mutawalli, shall extend full cooperation to the Returning Officer in the discharge of his duties. Any disputes or objections arising during the election process shall be decided by the Returning Officer, subject to the supervisory control of the Board.

(e) The accounts of the Jama-ath for the last **five years**, if not already audited, shall be audited through the Divisional Waqf Officer with the assistance of an empanelled auditor. The DWO shall complete the audit process, including calling for explanations, considering objections, and issuing directions for curing defects. If any loss or misappropriation is found, the matter shall be placed before the Board on the administrative side for orders under Sections 70 and 71 of the

	Waqf Act. 8. In the result, the Original Petitions are allowed in part with the above directions. No order as to costs.
4.	OP No. 64/2024 Hyderiya Masjid Mahallu Committee, Palakkad 1. The above Original Petitions are filed under Sections 32, 70 and 71 of the Waqf Act, 1995 seeking (i) appointment of a Returning Officer to conduct election to the Hyderiya Jama-ath Committee, (ii) audit of the accounts of the Jama-ath and overall enquiry into its administration, and (iii) consequential directions to restrain unauthorized elections. 2. The records available in this office show that pursuant to O.S. No.30/1969 of the Sub Court, Ottappalam, this Board finalised a scheme on 11.12.1976 under the then Waqf Act, 1954. The scheme, framed on the basis of court directions, provided for a 15-member committee consisting of 14 members elected by the Jama-ath and one member representing the hereditary Mutawalli family. An election was thereafter conducted under the supervision of a Returning Officer appointed by the Board itself, and since then the affairs of the Jama-ath have been continuously administered by elected committees under the scheme. This arrangement is in conformity with the proviso to Section 69(2) of the Waqf Act, 1995. 3. The respondents contended that under the waqf deed of 1922 (Doc. No.2159/1922, SRO Ottappalam), the office of Mutawalli was made hereditary and hence succession must devolve on the lineal descendants of the waqif. Reliance was placed by the respondent on various judgments to argue that where a founder prescribes hereditary succession, such a clause is binding. According to them, the Waqf Act recognizes hereditary Mutawallis and the Board has power to appoint only where such succession fails. But none of the judgments refers to a situation when scheme is framed by the Board as per direction of court and election is conducted on

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8. In the result, the Original Petitions are **allowed in part** with the above directions. No order as to costs.

5.	OP No. 192/2023 Ilfathul Islam Sangham (Ponnurunni Jama-ath), Ernakulam Order not ready. Posted to 10.12.2025
6.	OP No. 16/2024 Vadakara Muslim Jama-ath, Kottayam The present Original Petition has been filed by the petitioner seeking initiation of prosecution against the respondents for alleged non-compliance with the interim order dated 25.07.2023 passed in I.A. No.129/2023 in O.P. No.152/2023. By the said order, this Board had restrained the respondents from implementing the Jama-ath's decision dated 08.06.2023, which had temporarily frozen the petitioner's membership for a period of six months. It is noted that O.P. No.152/2023 is still pending adjudication before this Board. The petitioner has alleged that the respondents have deliberately violated the interim directions and continued to interfere with his membership rights. On the other hand, the respondents have submitted that they have fully complied with the order. In support of their stand, they have produced materials including CCTV footage showing the participation of the petitioner in the general body meeting, thereby indicating that the interim order had in fact been observed. They have further raised a contention that the present proceedings are defective for non-joinder of necessary parties, particularly the members of the committee, and that there has been suppression of material facts by the petitioner. On consideration, it is evident that Section 61(f) to (h) of the Waqf Act, 1995 prescribes penal consequences for disobedience of lawful orders or failure to comply with directions issued by the Board. However, for invoking such penal provisions, it is necessary to prima facie establish that the order of the Board was explicit, binding, and that there has been a willful and deliberate disobedience on the part of the respondents. Though the respondents have produced materials suggesting compliance, the fact remains that the petitioner has raised a specific allegation of violation which requires to be addressed in accordance with law.

	Having heard both sides and after deliberation, the Board is of the view that prima facie grounds exist to proceed further in the matter. Accordingly, it is decided that a prosecution notice be issued to the President, Secretary, and Treasurer of the Vadakara Muslim Jamaath, Kottayam, calling upon them to show cause why prosecution under Section 61 of the Waqf Act, 1995 should not be initiated against them for alleged disobedience of the interim order dated 25.07.2023. The Divisional Waqf Officer, Kottayam is directed to issue a prosecution notice as directed above
7.	OP No. 174/2024 Eravakkad Kamaludheen Juma Masjid Committee, Palakkad The IA came up for consideration. The petitioner herein who is the 1st respondent in the main OP seeks to implead one Sayed Mohammed, the former treasurer, on the ground that he is alleged to have managed the accounts and operations of the work-up and that misappropriation of work-up funds is attributable to him. The relief sought is that the proposed-respondent be made a party and made liable to deposit the amounts allegedly misappropriated. The respondents in the Interlocutory Application (who are the petitioners in the main OP) opposed the application and contended that the IA is not maintainable for multiple reasons, including (a) that the present applicants have no locus to seek impleadment of a third person in the pending OP, (b) that the 4th respondent herein had earlier resigned from the post of treasurer and is not in charge of affairs, (c) that the audit report attributes responsibility to the former secretary (the second petitioner), and (d) that the attempt to implead is mala fide and only intended to save the face of the present office-bearers and to complicate and delay the main proceeding. On consideration of the pleadings, the documents on record and the submissions advanced, the Board finds that impleadment of a third person is a step which the Board may allow where the presence of that person is necessary for effective adjudication of the dispute or where the interests of justice require that the person be brought

before the forum. Mere suspicion, surmise or an after-thought unaccompanied by credible material is not a ground to implead a person and thereby change the character of the lis or multiply parties unfairly. An application to implead must therefore satisfy a threshold: it must show (i) a real and direct nexus between the subject-matter of the main proceeding and the acts/omissions of the person sought to be impleaded; (ii) that the person is a necessary or proper party for effective relief; and (iii) that the application is bona fide and not a device to delay or to prejudice the other side.

It is also found that the applicant has not discharged that threshold on the present record. The IA is supported largely by assertions and innuendo; no contemporaneous documents, entries, bank records, signed statements, or other cogent material have been placed on record to show that the 4th respondent herein in fact exercised management control over the accounts during the relevant period or that the alleged misappropriation can be attributed to him. By contrast, the audit report already on record specifically indicates that the irregularities are traceable to the conduct of the former secretary (the second petitioner), and the petitioner herein has not produced any independent evidence which would contradict or supplement the audit findings so as to implicate Sayed Mohammed. In short, the applicant has failed to make out a prima facie case that the 4th respondent herein is a necessary party to the main proceeding.

In the present case the Board notes that neither the petitioners in the main OP (who have the primary locus to seek relief against persons alleged to be responsible) nor the proposed-respondent who is the 4th respondent herein himself sought impleadment; the present application appears to be an attempt by a party to the main lis to re-frame the controversy and shift blame without adequate supporting material. The Board cannot permit impleadment as a matter of convenience to one party or as a stratagem to complicate the main proceedings. Permitting the present IA in its present form would produce prejudice to other parties, embroil an uninvolved person in litigation without satisfactory preliminary proof, and would likely

	occasion undue delay in adjudication of the main controversy. The petitioner herein has not placed on record any contemporaneous communication, resolution, power of attorney, signatory mandate, or other documentary proof which would show that the 4th respondent herein continued to manage accounts after his resignation or that he possessed de facto control of funds. The mere allegation that the 4th respondent herein's son is the general secretary, without more, is insufficient to establish necessary party status. For the foregoing reasons the Board is of the opinion that the IA is misconceived and not maintainable in its present form. The application is dismissed. The dismissal is without prejudice to the right of any party to file a fresh application for impleadment in the main OP should cogent and admissible material be discovered which establishes a direct nexus between the 4th respondent herein and the alleged misappropriation; any such application must be supported by affidavit evidence and documentary proof and must show that impleadment is necessary for just and effective adjudication. In addition, if the 4th respondent herein himself wishes to be impleaded or to place materials before the Board, he may move the Board in accordance with law. The main O.P. shall proceed to be taken up on merits in its usual course. Parties are directed to cooperate so that the main matter can be heard without avoidable delay.
8.	OP No. 200/2024 Vadakkekka Muslim Jama-ath Committee, Thrissur Order not ready. Posted to 10.12.2025
9.	EP No. A2-169/24/ Audit Nellikkunnath Muhiyudeen Pally, Ernakulam Order not ready. Posted to 10.12.2025
10.	OP No. 234/2023 Manjakkulam Pally Makham Madrassa

	Committee, Palakkad Order not ready. Posted to 10.12.2025
11.	OP No. 48/2023 Thirunakkara Puthen Pally Muslim Jama-ath, Kottayam The petitioner filed an application under Sections 32 and 70 of the Waqf Act, 1995 seeking appointment of a Returning Officer for conducting election to the managing committee of the Jama-ath by secret ballot and for ensuring proper management of its affairs. It was contended that as per the bye-law, the committee has only a three-year term with the requirement of proving majority in the second year, and that office bearers cannot continue for more than six years in the same post. It was further alleged that the present committee has been functioning continuously from 2013 without interruption and without maintaining proper accounts. The petitioner also filed I.A. No. 304/2024 seeking appointment of an auditor to audit the accounts of the Jama-ath from 2013 onwards, alleging misappropriation of funds and non-maintenance of records. The respondents denied the allegations and submitted that the bye-laws had been amended in 2014 and 2017 extending the term of the committee to five years and removing restrictions on the tenure of office bearers. They further contended that the last election was duly conducted on 25.09.2022, in which the petitioner himself participated, and hence, the present committee's term will expire only in 2027. Regarding the I.A., it was submitted that the Jama-ath has been regularly auditing its accounts through Chartered Accountants, namely Byju Associates, and produced audited receipts and payment accounts for the years 2021 to 2024. On consideration of the materials, it is seen that the petitioner produced a copy of the bye-law of the Jama-ath, which clearly provides that the term of the managing committee is one year, subject to majority confirmation in the second year, and that in no case shall office bearers continue beyond six years in the same post. The respondents admitted that the last election was held only in 2022. Their contention that the term is five years based on amendments said to have been carried out in 2014 and 2017 cannot be accepted, as no cogent proof has been produced to show that such amendments were made in accordance with the procedure prescribed under the bye-law or with the sanction and approval of the competent authority. Moreover, extending the term of a managing committee beyond three years will be against the democratic spirit and participation rights of the members of the Jama-ath, since prolonged terms without election dilute accountability, transparency, and representation of the larger body of members. A short tenure ensures periodic review of the committee's performance, prevents concentration of power in a few individuals, and safeguards the collective character of the Jama-ath, which is founded on the principle of community participation. Therefore, the plea of the respondents for a five-year term cannot be sustained, and it is just and proper that fresh elections be held. With respect to the prayer for auditing, the respondents have produced receipts and payment accounts for the years 2021 to 2024, duly audited by a Chartered Accountant, namely M.I. Byju. Regular audit through a recognized professional is a sufficient safeguard for financial accountability, and in the absence of convincing material to show misappropriation or falsification, there is no necessity for appointing a separate auditor as prayed for by the petitioner. The contention in I.A. No. 304/2024 is therefore liable to be rejected, while accepting the respondents' submission that accounts have already been

	audited by a competent Chartered Accountant. In view of the above, the application for appointment of a Returning Officer is allowed. Adv. A.A. Jaleel is appointed as the Returning Officer to conduct election to the managing committee of the Jama-ath in accordance with the bye-laws. An initial batta of Rs.20,000/- shall be paid by the petitioner within fifteen days from the date of receipt of this order, failing which the petition shall stand dismissed. The remaining expenses of the election shall be met from the Jama-ath funds. The Returning Officer shall fix the nomination fee, which shall not exceed Rs.2,000/- per candidate. The election process shall be completed within a reasonable period, not later than three months from the date of payment of initial batta by the petitioner. Thus, I.A. No. 304/2024 is dismissed. The main petition is allowed to the extent indicated above.
12.	IA No. 42/2025 in OP No 180/2024 Cheraman Juma Masjid, Thrissur Order not ready. Posted to 10.12.2025
13.	OP No. 214/2024 Badariyya Muslim Jama-ath, Kottayam The respondents have filed I.A. 149/2025 seeking to set aside the order dated 20.12.2023 passed in I.A. 284/2023. It is submitted that they were not afforded an opportunity to file counter and advance hearing on merits. On consideration, and since no counter has been filed opposing the present I.A., the request is found reasonable. Accordingly, I.A. 149/2025 is allowed. The order dated 20.12.2023 in I.A. 284/2023 is set aside. The respondents are permitted to file counter on the next posting. I.A. 284/2023 shall thereafter be posted for hearing on merits. Posted to 19/11/2025.
14.	EP No. 5100/2024 Bapputty Musliyar Jaram Waqf, Thrissur The matter relates to the application submitted by Mr. Muhammed Mubashir M.M. on 13.09.2019 before the Divisional Office, Thrissur, seeking registration of <i>Marhoom Mathilakam Bapputty</i>

	<i>Musliyar Jaram</i> as Waqf property. Pursuant thereto, an inquiry was conducted and the Divisional Officer, Thrissur, by order dated 01.12.2020 in A1-2354-19-6, ordered registration, and accordingly the property was registered under Waqf Register No. 10379/RA. Aggrieved, Mr. Sayyid Mohammed and Mr. Abdul Khader preferred W.O.A. No. 15/2021 before the Hon'ble Waqf Tribunal, Kozhikode. The Tribunal, by order dated 07.12.2022, allowed the W.O.A. and set aside the order of the Divisional Officer dated 01.12.2020. The Tribunal observed that the nature of the property and its ownership required proper adjudication and that the Divisional Officer's order could not be sustained. Importantly, the Tribunal did not remand the matter back to the Board for fresh consideration. In compliance with procedural requirements, notices were again issued to the concerned parties by this Board. However, the parties failed to appear and were set ex parte on 08.07.2025. On perusal of the Tribunal's order and the record, it is clear that once the Tribunal has set aside the order of registration without remand, the Board cannot lawfully proceed further in the matter. Jurisdiction of this Board is limited under the Waqf Act, 1995, and the appellate order of the Tribunal, which has attained finality, binds the parties as well as this Board. Any further action by the Board in the absence of a remand direction would amount to re-adjudicating an issue already settled by a competent Tribunal, which is impermissible in law. Accordingly, and in view of the binding nature of the Tribunal's order dated 07.12.2022, this file cannot be proceeded with further and is hereby ordered to be closed.
15.	OP No. 254/2023 Ettumanoor Athirampuzha Muslim Jama-ath, Kottayam The respondents have filed I.A. 149/2025 seeking to set aside the order dated 20.12.2023 passed in I.A. 284/2023. It is submitted that

	they were not afforded an opportunity to file counter and advance hearing on merits. On consideration, and since no counter has been filed opposing the present I.A., the request is found reasonable. Accordingly, I.A. 149/2025 is allowed. The order dated 20.12.2023 in I.A. 284/2023 is set aside. The respondents are permitted to file counter on the next posting. I.A. 284/2023 shall thereafter be posted for hearing on merits. Posted to 19/11/2025.
16.	OP No. 66/2025 Nellikkuzhy Nellikunnath Muhiyudeen Pally, Ernakulam The Original Petition along with connected interlocutory applications came up for consideration. The petitioners, who are permanent members of Nellikunnath Muhiyudheen Palli Waqf (Reg. No. 7978/RA), had alleged mismanagement in the affairs of the Waqf and challenged the validity of the election process initiated for constituting the working committee. By interim order in I.A. No. 260/2025, this Board had directed the Returning Officer to keep the election process in abeyance until further orders. The Board has carefully examined the bye-law produced by the petitioners and perused its relevant provisions. From the introductory portion of the bye-law, it is expressly stated that there are eight permanent Kaikars of the Mahal, and upon the death of a Kaikar, his son shall continue as Kaikar or, if unwilling or not available, a representative from the family shall be selected. The posts of President and Vice-President are permanently vested with

the Kaikars. Clause 8 of the bye-law further stipulates that the working committee shall consist of thirteen members, eight from the Kaikars and five from the public, and that the General Body shall comprise members who have attained the age of eighteen years. From these provisions, it is clear that except for the eight Kaikars, all other members of the Jama-ath fall within the category of “public” as contemplated in the bye-law.

On a careful construction of the scheme of the bye-law, it is evident that it creates two distinct classes of representation within the working committee, namely the hereditary Kaikars on the one hand and the elected public representatives on the other. The eight Kaikar seats are meant to preserve the traditional, hereditary, and family-based custodial functions of the Kaikar families, while the five public seats are intended to ensure democratic representation of the general body members. The preservation of hereditary Kaikars in the committee serves important purposes of historical continuity, protection of family rights and customs, and stability in administration, which are expressly recognised by the bye-law. For these reasons, the Board finds that the Kaikar positions can only be filled from their respective families, and succession to these posts must be determined strictly in accordance with the terms of the bye-law, either through legal heirs or duly selected representatives of the Kaikar families.

With respect to the five public seats, the bye-law requires that these

shall be filled by election from among the public members of the Jama-ath, which includes all male members who have attained the age of eighteen years and who otherwise satisfy the bye-law conditions such as payment of subscription. Since the Kaikars already enjoy permanent representation, permitting them to participate in the election of public representatives would result in double representation, defeating the object and balance of the bye-law. The Board therefore finds that the electorate for the election of the five public representatives must consist of all qualified male members of the Jama-ath other than the eight Kaikars. This interpretation is necessary to uphold both the letter and the spirit of the bye-law and to maintain fairness and democratic participation.

In the present case, two Returning Officers have already been appointed by the Board. They are directed to act jointly at every stage of the election process and complete the entire election process within one month from the date of receipt of this order and submit a joint compliance report to the Board. Pending completion of the election, the present committee shall not take any major policy decision, undertake developmental works, or utilise Waqf funds other than for payment of staff salary and ordinary maintenance expenses. All income of the Waqf shall be deposited in the bank account and withdrawals shall be made only in accordance with banking rules and with proper accounting.

In view of the above findings, the interim order passed in I.A. No.

	260/2025 staying the election process is hereby vacated. The Returning Officers are directed to proceed with the election for electing five members from the public in strict compliance with the bye-law and the directions contained in this order. Auditing as prayed in the OP is already allowed and now there is no need to appoint an interim mutawalli and Returning Officer as prayed in the OP. The Original Petition is closed in the above terms.
17.	EP No. 4283/2021/TSR Karakkad Jama-ath Pally, Palakkad Notice served to all parties. Posted to 19.11.2025
18.	OP No. 134/2017 Haji Usman Haji Allarakhiya and Ayyoob Haji Abdul Rahiman Trust, Ernakulam For steps. Posted to 19.11.2025
19.	OP No. 132/2017j Kuzhikkattumoola Mahallu Muslim Jama-ath, Ernakulam Matter pending before Tribunal. Posted to 19.11.2025
20.	OP No. 168/2018 Thableegul Islam Trust, Ernakulam With Connected OP. Posted to 19.11.2025
21.	OP No. 178/2018 Thabeegul Islam Trust, Ernakulam with connected OP No. 168/2018. Posted to 19.11.2025
22.	EP No. A9-1148/2019 Keekkott Saidalavi Bin Hussain Saqaf Waqf, Thrissur For filing chief affidavit by the 1 st party. Posted to 19.11.2025
23.	OP No. 10/2020 Kuzhikkattumoola Mahallu Muslim Jama-ath, Ernakulam Matter pending before Tribunal. Posted to 19.11.2025
24.	OP No. 04/2021 Pallikkara Muslim Jama-ath, Ernakulam For filing chief affidavit by the petitioner. Posted to 19.11.2025
25.	OP No. 114/2021 Marayamangalam Central Jama-ath Pally Committee, Thrissur Commissioner report filed PW1 examined. Exhibit A1 to A3 (a) marked. A2 marked subject proof. Petitioner evidence is over. For evidence of the respondents. Posted to 10.12.2025

26.	OP No. 184/2022 Abdul Sathar Haji Moosa Sait Dharmastapanam, Ernakulam Issue intimation to the auditor. Posted to 15.10.2025
27.	OP No. 128/2022 Vazhalippadam Mahallu Jama-ath, Thrissur For steps. Posted to 19.11.2025
28.	OP No. 172/2022 Muhiyudheen Juma Masjid, Kottayam For commission report. Posted to 10.12.2025
29.	OP No. 174/2022 Muhiyudheen Juma Masjid, Kottayam OP counter filed. Heard both sides. For orders. Posted to 10.12.2025
30.	OP No. 06/2022 Pengattusserry Muslim Jama-ath, Ernakulam For steps. Posted to 19.11.2025
31.	OP No. 116/2021 Kaitharam Muslim Jama-ath, Ernakulam For commission report. Posted to 15.10.2025
32.	OP No. 208/2023 Kongad Muhiyudheen Sunni Juma Masjid and Assassul Isalm Madrassa, Palakkad Returning Officer report not filed. Posted to 19.11.2025
33.	OP No. 112/2023 Ilfathul Islam Sangham (Ponnurunni Jama-ath), Ernakulam For commission report and counter in IA No. 354/2025. Posted to 10.12.2025
34.	EP No. A8-2698/2023 Madrassathul Husna, Thrissur For steps. Posted to 10.12.2025
35.	OP No. 152/2023 Vadakara Muslim Jama-ath, Kottayam Audit report received. For objection to audit report. Posted to 10.12.2025
36.	OP No. 224/2023 Ettumannoor Athirampuzha Muslim Jama-ath, Kottayam Cost paid. For counter. Posted to 10.12.2025
37.	OP No. 238/2023 Markkassudawathi Sunneeyya, Thrissur I.A.No.258/2025 & I.A.No.259/2025 for Counter in OP . No Counter by R4 15/10/2025
38.	OP No. 50/2023 Ponkunnam Muhiyudeen Pally Muslim Jama-ath, Kottayam Posted to 10.12.2025
39.	OP No. 38/2023 Karukaputhoor Mahallu Jama-ath Committee, Palakkad,

	Notice served to RO. Voters List Produced. Hand over voters list to RO. Complete election within 2 months. Pay initial batta within one week. The committee shall co-operate with Returning Officer 10/12/2025
40.	OP No. 158/2023 Ponkunnam Muhiyudeen Muslim Jama-ath, Kottayam Connected OP No. 50/2023. Call on 10.12.2025
41.	OP No. 228/2023 Masjidu Swahaba Mahallu Committee, Palakkad For observer report. Posted to 10.12.2025
42.	OP No. 194/2024 Kaduvinal Muslim Jama-ath, Alappuzha IA No. 16/2025 for hearing. Commissioner report filed in connected OP. Posted to 19.11.2025
43.	I.A.No.122/2024 correction petition Allowed. For proof affidavit 19/11/2025
44.	OP No. 40/2024 Theruvath Pally Makham Committee, Palakkad For commission report. Posted to 10.12.2025
45.	OP No. 52/2024 East Veliyathnad Juma Masjid, Ernakulam For proof affidavit by the respondent 19/11/2025
46.	OP No. 172/2024 Edathakkara Jama-ath @ Kuriyathole Muslim Jama-ath, Ernakulam IA No. 353/2025 no counter allowed. Office shall carry out amendment and issue notice. For steps. Posted to 10.12.2025
47.	OP No. 176/2024 Mullakkeril Mahal Jama-ath, Kottayam Counter filed for steps 19/11/2025
48.	OP No. 58/2024 Mannar Muslim Jama-ath, Alappuzha For Counter in I.A.No.165/2025 19/11/2025
49.	OP No. 164/2024 Kaduvinal Muslim Jama-ath, Alappuzha Commissioner filed report. For objection to Commission report.I.A.No.265/2024. Heard Both sides for orders 19/11/2025
50.	OP No. 236/2024 Badariya Muslim Jama-ath, Kottayam IA No. 376/2025. For audit report and steps. Posted to 10.12.2025
51.	EP No. 4841/2024 Valiyullahi Varavoor Muhammedkutty Masthan Uppappa Khasi Makham, Thrissur Argument notes filed. For orders. Posted to 10.12.2025
52.	OP No. 230/2024 Darussalam Juma Masjid, Thrissur For appearance and steps. Posted to 10.12.2025
53.	OP No. 220/2024 Irumbakasserry Muslim Jama-ath, Palakkad

	IA No. 407/2025. Counter in IA No. 262/2025 filed. For argument notes in IA No. 407/2025 and IA No. 262/2025. Posted to 10.12.2025
54.	OP No. 238/2024 Punnappadam Kakkod Puthen Pally, Palakkad IA No. 355/2025 and IA No. 356/2025. Adv Ali Muthu filed fresh vakkalath for R1 and R2. The counsel for the respondent states that no election shall be held violating the earlier order of the Board. For counter in IA No. 355/2025, 356/2025. Posted to 15.10.2025
55.	OP No. 14/2024 Kuzhikkattumolla Mahallu Muslim Jama-ath, Ernakulam Matter pending before Tribunal. Posted to 10.12.2025
56.	OP No. 80/2024 Pazhayalakkidi Hidayathul Islam Mahallu Jama-ath, Palakkad Commission report filed. For objection to commission report. For argument notes in IA. Posted to 19.11.2025
57.	OP No. 222/2024 South Punnayoor Jama-ath Pally Committee, Thrissur For Returning officer and audit report. Posted to 10.12.2025
58.	EP No. A5-6972/2024 Alangad Muslim Jama-ath, Ernakulam Statement by parties 1 and 2 filed. Heard. For orders. Posted to 10.12.2025
59.	OP No. 112/2024 Chinnakkada Muslim Jama-ath, Kollam Cost paid. For counter. Posted to 10.12.2025
60.	EP No. 3258/2024 Masjiduswahaba, Thrissur Observer report. Heard. For orders. Posted to 15.10.2025
61.	OP No. 244/2024 Kaduvinal Muslim Jama-ath, Alappuzha with connected OP. Posted to 19.11.2025
62.	OP No. 78/2024 Thayikkattukara Muslim Jama-ath, Ernakulam Argument notes filed by the respondents & petitioner. For orders 19/11/2025
63.	OP No. 98/2024 Kaitharam Muslim Jama-ath, Ernakulam For commission report. Posted to 15.10.2025
64.	OP No. 18/2025 Madavana Muslim Jama-ath, Ernakulam For appearance of parties and counter finally. Posted to 15.10.2025
65.	OP No. 38/2025 Alangad Muslim Jama-ath, Ernakulam Counter filed. For steps. Posted to 10.12.2025
66.	OP No. 30/2025 Cheruthuruthy Muslim Jama-ath, Thrissur

	For Counter in I.A.NO.32/2025 & in OP 19/11/2025
67.	OP No. 28/2025 Peringod Juma-ath Pally Committee, Palakkad For steps and IA No. 30/2025. Posted to 10.12.2025
68.	OP No. 54/2025 Alangad Muslim Jama-ath Pally Committee, Ernakulam IA No. 50/2025. Counter in OP filed and for steps. Posted to 10.12.2025
69.	OP No. 14/2025 Koottkkal Muslim Jama-ath, Kottayam For appearance of parties. Posted to 10.12.2025
70.	OP No. 92/2025 Broadway Hanafy Muslim Jama-ath, Ernakulam For counter. Posted to 10.12.2025
71.	OP No. 94/2025 Broadway Hanafy Muslim Jama-ath, Ernakulam For counter. Posted to 10.12.2025
72.	OP No. 96/2025 Kilikolloor Siyarathumood Muslim Jama-ath, Kollam IA No. 93/2025 for orders. For counter in OP. Posted to 10.12.2025
73.	OP No. 100/2025 Vadakkekkad Muslim Jama-ath, Thrissur For counter. Adv. Ajmal filed vakkalath for R2. Posted to 19.11.2025
74.	OP No. 120/2025 P. M.S. A. Pookkoya Thangal Memorial Yatheemkhana, Palakkad As per the Order of Honble High Court I.A.No.316/2025 Heard. For orders. Parties shall file argument notes.15/10/2025
75.	OP No. 102/2025 Kuttilanji Methala Muhiyudheen Juma Masjid, Ernakulam For counter. Posted to 10.12.2025
76.	EP No. A3-4712/CR Kuriyathole Muslim Jama-ath, Ernakulam Adv. Abdul Jabbar filed vakkalath for parties 3 to 12 and counter filed. For statement of Party No. 1. Posted to 19.11.2025
77.	OP No. 138/2025 Ilfathul Islam Sangham (Ponnurunni Jama-ath), Ernakulam For counter in IA No. 159/2025, 160/2025, 357/2025. Posted to 15.10.2025
78.	OP No. 144/2025 Ranoor Muslim Jama-ath, Kollam IA No. 163/2025. No counter. Heard. For orders. Posted to

	19.11.2025
79.	OP No. 146/2025 Shaffi Jama-ath Pally, Palakkad Counter filed. For steps. Posted to 10.12.2025
80.	OP No. 150/2025 Ettumanoor Athirampuzha Muslim Jama-ath, Kottayam Adv. Shaffi filed fresh vakkalath for the petitioner. Adv. Sajid for R1 and R2. For counter. Posted to 10.12.2025
81.	OP No. 152/2025 Pengattusserry Muslim Jama-ath, Ernakulam For counter. Posted to 10.12.2025
82.	IA No. 158/2025 in EP No. 3338 & 3339/CR Haji Essa Haji Moosa Sait and Jan Muhammed Haji Eass Sait Truts, Ernakulam Steps taken. Issue notice. Posted to 10.12.2025
83.	OP No. 62/2025 Mannar Muslim Jama-ath, Alappuzha For report of Returning officer. Posted to 10.12.2025
84.	OP No. 190/2025 Izzathul Islam Sangham, Palakkad Notice served to all parties. For report of the Commissioner. Respondents Name called. No representation. Set exparte. For exparte affidavit 19/11/2025
85.	OP No. 192/2025 Pengattusserry Muslim Jama-ath, Ernakulam Adv. Sajitha for all respondents. For counter. Posted to 10.12.2025
86.	OP No. 194/2025 Badariyya Muslim Jama-ath, Kottayam IA No. 323/2025 counter filed. Heard. For orders all IA's and Counter in OP. Posted to 19.11.2025
87.	OP No. 196/2025 Shafi Jama-ath Committee, Palakkad Notice served. Adv. Amina for all respondents. For counter in OP. Posted to 10.12.205
88.	OP No. 198/2025 Alangad Muslim Jama-ath, Ernakulam Adv. Majeed for R1 to R3. For counter in OP and IA No. 282/2025, 281/2025. Posted to 19.11.2025
89.	OP No. 200/2025 Padinajre Shaffi Muslim Jama-ath, Alappuzha Notice to respondent returned as unclaimed. No representation. Name called. Set Exparte. For exparte affidavit. Posted to 10.12.2025
90.	IA No. 254/2025 in OP No. 126/2023 Ilfathul Islam Sangahm (Ponnurunni Jama-ath), Ernakulam IA No. 254/2025. Issue notice to the respondents in IA No. 254/2025. Pay batta. Posted to 10.12.2025

91.	IA No. 256/2025 in OP No. 228/2024 Ilfathul Islam Sangham (Ponnurunni Jama-ath), Ernakulam pay Batta. Posted to 10.12.2025
92.	OP No. 42/2025 Kaipparamb Jama-ath Committee, Thrissur No oral evidence. Heard. For orders. Posted to 19.11.2025
93.	OP No. 124/2025 Izzathul Islam Sangham, Palakkad For Counter in I.A.No.201/2025& I.A.No.202/2025. Counter in I.A.No.136/2025. For hearing / notes of argument 15/10/2025.
94.	OP No. 206/2025 Pallikkara Muslim Jama-ath, Ernakulam For petitioner Adv. Hameed Manthalasserry. Adv. Sadique for R1 to R3, R5 to R9 and R27. Adv. Narayanan for R4, R10 to 13, 15 to 18, 20 to 26, 28 to 30. For argument notes. Posted to 19.11.2025
95.	EP No. A9-2971/2025 Salafy Juma Masjid, Idukky Adv. T. K. Aboobacker for party No. 3. For statement. Posted to 19.11.2025
96.	OP No. 208/2025 Noorul Huda Islamic Education Center, Palakkad Adv. Moosakutty for petitioner. Notice to R1 to R4, 5, 6 served. No representation. Name called. Set exparte. Repeat notice to R3. Posted to 19.11.2025
97.	OP No. 82/2025 Masjidul Mujahideen and Madrassathul Mujahideen Committee, Palakkad Adv. Sivaramakrishnan for R1,3, 8,9,10 and 12, R2 died. Notice to R4, 5, 6, 7,11 served. Name called. No representation. Set exparte. For steps. Posted to 10.12.2025
98.	IA No. 255/2025 in OP No. 212/2024 Ilfathul Islam Sangham(Ponnurunni Jama-ath), Ernakulam IA No. 255/2025. Issue notice. Pay batta. Posted to 10.12.2025
99.	OP No. 80/2025 Kerala Nadvathul Mujahideen, Thrissur Adv. Majeed for R1 to R5, 8 & 9 also propose vakkalath for R6 and 7. For counter. Posted to 10.12.2025
100.	OP No. 166/2025 Kottukad Muslim Jama-ath, Kollam The Interlocutory Applications came up for consideration. The petitioner in I.A. No. 208/2025 (who is also a petitioner in the main Original Petition) seeks an interim direction restraining respondents 1 to 5 from demolishing or reconstructing the school building known as Khadariya School, Kottukad, on the basis of Document No. 3 (a quotation) and on public announcements made on 07.06.2025 and 08.06.2025, without obtaining prior permission of

this Board. The relief sought is in aid of the main OP which challenges the management's alleged failure to follow the bye-law and the statutory procedure in relation to the school and the Waqf property. I.A. No. 233/2025 is an application filed by the respondents seeking to vacate the interim order passed earlier in I.A. No. 208/2025. Both applications were heard and the Board has perused the pleadings, the documents produced and the report of the Advocate Commissioner appointed earlier by order in I.A. No. 225/2025.

The factual matrix is not in dispute for the purposes of interim relief. It is common ground that the petitioner complains of a public announcement that the management intends to demolish the old school building and construct a new structure; that a quotation notice bearing Document No. 3 was posted on the notice board on 08.06.2025; and that no specific approval of the general body or of the management committee (as required under the bye-law and established practice) has been placed on record authorising demolition or reconstruction. In obedience to the Board's direction, an Advocate Commissioner inspected the premises and filed a report along with photographs and documents. Notably, the Advocate Commissioner's record contains a fitness certificate issued by the Assistant Engineer, Chavara Grama Panchayat, dated 13.05.2025 certifying that the structure was inspected and found to be "fit to conduct classes" for the academic year 2025-26 and that the structure is sound under normal wind and weather conditions. The school is currently functioning and the academic year 2025-26 is in progress.

The respondents in their counter contest the petitioners' standing and characterise the petition as an attempt to interfere with the management of the school. They point out that certain earlier constructions were irregular and that provisional or conditional fitness certificates were obtained in earlier years after proceedings with local authorities; they contend that certain buildings had earlier attracted objections under the Kerala Panchayat Building Rules 2019 and under the Kerala Education Act and rules. The respondents have, however, not shown any cogent evidence of an imminent danger to pupils which would necessitate immediate demolition during an academic session; nor have they produced any resolution of the management committee or the general body authorising immediate demolition and reconstruction during the running academic year, nor have they produced a contemporary structural engineer's report justifying emergency demolition that cannot be deferred.

On a balanced consideration of the materials placed before the Board, the position for interim relief is clear. The Board's primary duty in such matters is twofold: to safeguard the Waqf property and to protect the public interest,

which here includes the uninterrupted education and safety of schoolchildren. The Advocate Commissioner's inspection report together with the Assistant Engineer's fitness certificate dated 13.05.2025 indicate that, for the purpose of the current academic year, the building has been certified fit to be used for conducting classes. In such circumstances it would be unconscionable and contrary to the public interest to permit demolition or reconstruction that would disrupt the ongoing academic year and expose students to displacement without compelling, expert, and contemporaneous evidence of danger. Equally, the Board must ensure that the management of Waqf property complies with the bye-law and with statutory requirements; unilateral demolition or material alteration of Waqf property without the express sanction of the competent authority and without compliance with applicable building and education laws cannot be permitted as a fait accompli.

For these reasons the Board is satisfied that interlocutory relief restraining demolition or reconstruction is necessary to preserve the status quo and to prevent irreversible consequences pending final adjudication in the main OP. The restraint is preventive in character and is without prejudice to the rights of the respondents to apply to the Board, producing full and cogent documents (including a detailed structural engineer's report prepared by an independent, legally competent structural engineer, duly signed and dated, management committee/general body resolution authorising demolition/reconstruction, all tender and quotation documents, and all statutory approvals from the competent local authorities and the education department) to justify any proposal for demolition or reconstruction. Any such application will be considered on its merits after giving opportunity to all concerned to be heard.

Accordingly, I.A. No. 208/2025 is allowed and I.A. No. 233/2025 is dismissed. Pending final disposal of the main Original Petition, the respondents 1 to 5, their agents, contractors, servants and anyone acting under their instructions shall not demolish, pull down, reconstruct, materially alter or remove any portion of the school building or other structures mentioned in Document No. 3, and shall not commence or permit any construction activity on the said site, save and except such incidental work as is strictly necessary for safety or for ordinary maintenance, and then only after giving prior notice to the Board. The respondents shall not undertake any activity which would displace or otherwise hinder the conduct of classes during the academic year 2025–26.

The Advocate Commissioner's report and the Assistant Engineer's fitness certificate are taken on record for the limited purpose of this interim

	direction. Nothing in this order shall be construed as an adjudication on the merits as to the lawfulness of any earlier construction or as prejudice to the rights of the respondents to seek regularisation from the competent authorities, or to seek permission from this Board upon production of requisite approvals and expert evidence. The Board retains full jurisdiction to consider all such materials and to pass appropriate orders in the main OP. Non-compliance with the directions in this order will invite appropriate action by the Board, which may include initiation of proceedings under the Waqf Act or other remedial measures, including invoking penal provisions available to the Board for contravention of its orders and directions. Parties are directed to cooperate to ensure that the educational activities are not disrupted and that the matter is disposed of on merits in due course.
101.	OP No. 238/2025 Chittumoola Muslim Jama-ath, Kollam Posted to 29.10.2025
102.	OP No. 62/2022 Amayoor Juma Masjid, Palakkad For returning officer report. Posted to 19.11.2025
103.	OP No. 250/2025 Poomala Mythani Niskara Pally, Ernakulam Issue notice to the respondents. Posted to 19.11.2025 IA No. 350/2025 Heard. The petitioner had made out a prima facie case. The respondents are restrained from carrying out any activity in the Waqf property involved in this matter. The respondent is directed to produce lease deed with regard to this property and the permission if any received by the Board with regard to leasing out this property. IA No. 351/2025 Heard. The petitioner had made out a prima facie case. The Chief Executive Officer is directed to conduct an enquiry with regard to the allegations raised in the affidavit and also to audit the accounts of the Jama-ath for the last 5 years.
104.	OP No. 252/2025 Kaloor Muslim Jama-ath, Ernakulam Issue notice to the respondents. Posted to 10.12.2025 IA No. 352/2025 Divisional Waqf Officer, Ernakulam is directed to conduct overall

	enquiry and directed to appoint an auditor for auditing the accounts of the Jama-ath 2020-2021 to 2024-2025 through empanelled auditor. After completion of audit the Divisional Waqf Officer shall call for explanation from the necessary party and shall give directions for curing the defects pointed out by the auditor. If any amount is to be recovered as certified by the auditor the matter shall be placed the Board through administrative side. Posted for enquiry report. Posted to 10.12.2025
105.	OP No. 254/2025 Nannattukavu Pothencode Muslim Jama-ath, Thriuvananthapuram Issue notice to the respondents. Posted to 12.11.2025
106.	OP No. 256/2025 Haji Hussain Abdullas Waqf, Ernakulam Issue notice to the respondents. Posted to 19.11.2025 IA No. 356/2025 Divisional Waqf Officer, Ernakulam is directed to depute an empanelled auditor to audit the accounts of the 1st respondent for the period from 2020-2021 to 2024-2025. After the completion of audit the Divisional Waqf Officer shall complete the procedure including calling for explanations, giving necessary directions for curing the defects pointed out by the auditor and if any amount is to be recovered as certified by the auditor the matter shall be placed before the Board through administrative side.
107.	OP No. 258/2025 Pathukulangara Muslim Jama-ath, Thrissur Issue notice to the respondents. Posted to 19.11.2025 IA No. 365/2025 Divisional Waqf Officer, Thrissur is directed to conduct audit of accounts of the Waqf involved in this matter for the period from 2019-2020 to 2024-2025 through an empanelled auditor. After completion of audit the Divisional Waqf Officer shall call for explanation from the necessary party and shall give directions for curing the defects pointed out by the auditor. If any

	amount is to be recovered as certified by the auditor matter shall be placed before the Board through administrative side. IA No. 366/2025 Heard. The petitioner had made out a prima facie case. The respondents are directed not to conduct election to the Jama-ath committee/managing committee of the 1st respondent without obtaining prior permission of Board.
108.	OP No. 260/2025 Pallikkara Muslim Jama-ath, Ernakulam Issue notice to the respondents. Posted to 10.12.2025 IA No. 367/2025 Divisional Waqf Officer, Ernakulam is directed to conduct audit of accounts of the waqf for the period of 2022-2023 to 2024-2025 through an empanelled auditor. After completion of audit the Divisional Waqf Officer shall call for explanation from the necessary party and shall give directions for curing the defects pointed out by the auditor. If any amount is to be recovered as certified by the auditor matter shall be placed before the Board through administrative side.
109.	OP No. 262/2025 Ilfathul Islam Sangham (Ponnurunni Jama-ath), Ernakulam IA No. 369/2025 Divisional Waqf Officer, Ernakulam is directed to depute 4 officers as observers to the Nercha to be conducted from 19.10.2025 to 26.10.2025. The observers shall be present at the premises alternatively so that at least two officers shall be present every day. Batta of Rs. 2500/- for each day shall be paid to the officers. The officers shall conduct the nercha and shall report at the office. IA No. 370/2025 Heard the petitioner. The Board apprehends that there is a chance of law and order problem while conducting general body (21.09.2025) Nercha 19.10.2025 to 26.10.2025 in the Mahal. Hence the

	petitioner shall approach the SHO Palarivattom seeking necessary police assistance and surveillance. In such event in order to avoid incidents violating law and order in the Mahal the SHO shall provide necessary police assistance and surveillance.
110.	IA No. 359/2025 in OP No. 184/2025 Thevalakkara Chaliyath Muslim Jama-ath Committee, Kollam Advanced to 15.10.2025
111.	IA No. 363/2025 in OP No. 56/2025 Kanjippadom Muslim Jama-ath Committee, Alappuzha Allowed. IA No. 364/2025 in OP No. 56/2025 For counter. Posted to 29.10.2025
112.	O.P.130/2025– Erumeli Mahalla Muslim Jama-ath, Kottayam. The matter came up for consideration regarding the construction works undertaken in the Waqf property and the need to ascertain the value and stage of the work executed. On hearing both sides and on perusal of the records, the Board is of the view that a proper technical evaluation is necessary for arriving at a just and fair decision. The financial involvement being substantial, it is imperative to obtain an expert assessment from a legally competent and qualified engineer, who alone can provide an independent and accurate report on the present condition of the structure and the expenditure incurred. Accordingly, the Chief Executive Officer of the Board is hereby directed to appoint a legally competent engineer from the approved panel or from the Public Works Department for the purpose of inspecting the property in question. The appointed engineer shall, after conducting a detailed site inspection, submit a comprehensive report before the Board within a period of four weeks from the date of his appointment. The report shall specifically include the following details: 1. The present value of the structure already constructed. 2. The exact stage of the work as on the date of inspection. 3. The total amount required for completing the remaining work. 4. The total amount expended so far. 5. The excess amount, if any, still retained by the contractor in comparison to the work actually executed. 6. Any other relevant technical observation which may assist the Board in assessing the financial and structural position of the work. The Chief Executive Officer shall ensure that the engineer appointed is independent, impartial, and technically competent to carry out the valuation. The remuneration of the engineer shall be fixed by the Chief Executive Officer in

	accordance with the approved norms, and the same shall be met from the Jama-ath Funds. The matter shall be placed before the Board along with the report for further orders immediately upon receipt of the same. Ordered accordingly.