



WEB COPY



Cont.P.No.3916 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.07.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

Contempt Petition No.3916 of 2024

A.Jahir Hussain
S/o.Abu Backer,
President, Abesha Thaikka Waqf,
Managing Committee,
31/15, Singara Thoppu,
Villupuram.

Petitioner

Vs

Ramesh
The Commissioner
Villupuram Municipality,
Villupuram.

Respondent

PRAYER: Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondent for willful disobedience of the order of this Court made in W.P.No.4395 of 2022, dated 04.03.2022 as modified in Review Petition No.38 of 2023, dated 12.6.2023.



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For Petitioner: Ms.A.Ajimath Begum

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ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

This contempt petition alleges non-compliance of the order dated 4.3.2022 passed in W.P.No.4395 of 2022, whereby the writ petition was disposed of with the following directions:

"5. Since the 2nd respondent has already initiated action, we dispose of this writ petition giving direction to the 2nd respondent to proceed against the illegal construction, if any, put up by the respondents 5 to 19. No costs. Consequently, connected miscellaneous petitions are closed.

6. Since the learned counsel for the petitioner has brought to the notice of this Court by showing the photographs of illegal construction put up by the respondents 5 to 19, they are hereby injuncted not to put up any more construction in the property belonging to the Waqf, without obtaining appropriate permission from the Waqf Board. This order will not apply if permission has already been granted by the Waqf Board."

2. Thereafter, respondents 5 to 19 in the writ petition have filed Review Application No.38 of 2023 and the same was disposed of vide order dated 12.06.2023, with the following directions:



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"6. We make it very clear that the issue as to whether the property belongs to the Wakf Board or not is left open as the same can be decided only after hearing the Review Petitioners by the authorities int terms of paragraphs 4 and 5 of the order dated 04.03.2022 passed in W.P.No.4395 of 2022 and others who are likely to be affected. The Electricity Department will have to abide by the decision taken by the Commissioner of Villupuram Municipality as reflected in paragraphs 3 of the said order passed in W.P.No.4395 of 2022. the authorities are expected to hear the parties on a day-to-day basis without adjourning the matter beyond three working days at any point of time and take a decision at the earliest."

3. Learned counsel for the petitioner submitted that the respondent has not complied with the direction contained in paragraph 5 of the writ order.

4. We have considered the submission made by learned counsel for the petitioner and also perused the records.

5. We find that, in paragraph 6 of the order passed in the review petition, this Court made it clear that the issue as to whether the property belongs to the Wakf Board or not is left open as the same can be decided only after hearing the review petitioners and others who



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are likely to be affected by the order to be passed by the authorities in terms of paragraphs 4 and 5 of the order passed in the writ petition.

The issue is yet to be decided. Unless and until the ownership is decided, no further proceedings can take place. Therefore, we find no willful disobedience of the order passed by this Court in W.P.No.4395 of 2022, dated 04.03.2022, as modified in Review Petition No.38 of 2023, dated 12.6.2023.

6. Accordingly, the contempt petition is closed. No costs.

(SUSHRUT ARVIND DHARMADHIKARI, CJ) (G.ARUL MURUGAN,J)
08.07.2026

Index : Yes/No
Neutral Citation : Yes/No
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THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN,J.

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