



WA(MD)No.941 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 03.07.2026

CORAM

**THE HON'BLE MR JUSTICE C.V.KARTHIKEYAN
AND
THE HON'BLE MR JUSTICE R.SAKTHIVEL**

W.A.(MD)No.941 of 2026

R.Dhoulath Husain Khan

... Appellant(s)

- Vs. -

1. The Tamil Nadu Waqf Board Rep by its Chairman,
No. 1 Jaffer Syrang Street,
Vallal Seethakathi Nagar, Chennai.

2. The Chief Executive Officer
The Tamil Nadu Waqf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai.

3. The Superintendent of Waqf/Executive Officer, Jumma Mosque Waqf,
Manaparai Taluk,
Trichy District.

... Respondents

Prayer :Writ Appeal filed under clause 15 of letters patent, praying to prefer this memorandum of grounds of writ appeal against the order dated 18.02.2026 passed in W.P.(MD) No.14013 of 2025.



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For Appellant : M/s.R.Suriya Narayanan

For Respondents : Mr.D.S.Haroon Rasheed

ORDER

(Order of the Court was made by C.V.KARTHIKEYAN, J.)

The writ appeal has been filed by the petitioner in WP(MD) No. 14013 of 2025 aggrieved by a particular observation of the learned Single Judge in his order dated 18.02.2026. The said writ petition had been filed by the appellant in the nature of Writ of Certiorari calling for the records relating to a resolution passed by the first respondent/Tamilnadu Wakf Board in proceedings dated 25.02.2025 and the consequential notice issued by the third respondent/Superintendent of Wakf/Executive Officer/Jumma Mosque Waqf, Manaparai Taluk, Trichy District. Dated 23.04.2025 and to quash both the proceedings and the notice.

2. It is the case of the appellant that the appellant had received a show cause notice on 03.01.2025 and 15 days time was granted to reply. The appellant replied to the said show cause notice. There was some miscommunication and the respondents alleged that they have not received



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the reply. Thereafter a resolution had been passed by the respondents on 25.02.2025 intimating that a third party had been appointed as Executive Officer of the Jumma Mosque at Manaparai Taluk, Trichy District. The petitioner claimed that as a hereditary Mutawalli functioning from the year 1999, his removal without considering the reply has seriously prejudiced his rights and reputation. A further opportunity was therefore sought to represent the actual facts before the respondents. The learned Single Judge observed that on the reconstitution of the Wakf Board, the Wakf Board should reconsider the entire issue and pass further final orders within a period of three months from the date of the receipt of a copy of the order of the learned single Judge.

3. The learned counsel for the appellant states that the appellant would participate in any enquiry conducted by the Wakf Board to reconsider its earlier decision. The learned Single Judge, however, had also observed that till such process is completed, “the existing Mutawalli and members shall continue to function”. This observation of the learned Single Judge has caused grievance to the appellant necessitating him to file the present writ appeal.



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4. The learned counsel pointed out that the appellant is the Hereditary Mutawalli and any adverse order passed without providing opportunity would seriously affect the appellant directly and his legal heirs, who would succeed him later indirectly. Therefore, the appellant should be permitted to act as Mutawalli, more particularly, his status as Hereditary Mutawalli, in order to uphold the said post, which his forefathers had held and which he expects his heirs to also hold.

5. We have also heard the learned counsel for the Wakf Board.

6. We appreciate the fair stand taken by the Wakf Board that the Wakf Board would take over the affairs of the Jumma Mosque, Manaparai Taluk, Trichy District, and would ensure to appoint the Superintendent of Wakf as an Executive Officer. This would indicate that not only the appellant but “the existing Mutawalli and members” would not be in a position to function in the day today affairs of the Mosque. Let the enquiry of the Wakf Board be completed within a period of four months, after the constitution of the Board.



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WEB COPY 7. The writ appeal stands disposed of with the above observation. No costs.

(C.V.K.,J.) (R.S.V,J.)
03.07.2026

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**C.V.KARTHIKEYAN, J
AND
R.SAKTHIVEL, J**

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