



W.P.(MD) No.20585 of 2026

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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DATED : 21.07.2026

CORAM

**THE HON'BLE MR.JUSTICE C.SARAVANAN**

**W.P.(MD) No.20585 of 2026**

Sabiyulla

... Petitioner

Vs.

1.The President of Waqf Board,  
Tamilnadu Waqf Board,  
No.1, Jabarsha Street,  
Vallal Sithakathi Nagar, Chennai.

2.The Chief Executive Officer,  
Tamilnadu Waqf Board,  
No.1, Jabarsha Street,  
Vallal Sithakathi Nagar, Chennai.

3.The Superintendent of Waqf,  
O/o. Superintendent of Waqf,  
Palakarai, Trichy.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representations dated 29.05.2026 and 07.07.2026, thereby extending the tenure of the active interim committee of the jumma mosque G.S.162 untill 25.06.2027 and fill the four vacant committee seats.

For Petitioner : Mr.R.Senthil Kumar  
For Respondents : Mr.D.S.Haroon Rasheed  
Standing Counsel



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**ORDER**

**WEB COPY** This Writ Petition has been filed by the petitioner, who was appointed, along with others, as a member of the Interim Committee for a period of one year by the second respondent, the Chief Executive Officer, Tamil Nadu Waqf Board, after the Hereditary Mutawalli, namely, R.Dhoulath Hussain Khan, was removed from the post of Hereditary Mutawalli of Jumma Mosque Waqf, Manapparai Taluk, Trichy District.

2. In this Writ Petition, the petitioner seeks a direction to the respondents to consider the petitioner's representations dated 29.05.2026 and 07.07.2026 for extending the tenure of the existing Interim Committee of Jumma Mosque Waqf, G.S.No.162, until 25.06.2027 and for filling up the four vacant Committee posts.

3. The removal of the existing Hereditary Mutawalli, namely, R.Dhoulath Hussain Khan, was challenged by him before this Court in W.P.(MD) No.14013 of 2025. This Court, by order dated 18.02.2026 passed in W.P.(MD) No.14013 of 2025, made the following observations:-

*“6. After elaborately hearing the arguments on either sides, this Court is of the considered view that since the petitioner acted as Hereditary Mutawalli from the year 1999, certainly removing him without affording*



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*sufficient opportunity and without considering his reply will definitely, not only be a matter of petitioner's interest, but also a concern of his image. Taking into consideration of this aspect, this Court is inclined to set aside the impugned resolution and notice and remand the matter for re-consideration.*

*7. Hence, the impugned resolution of the first respondent Board dated 25.02.2025 and impugned notice of the third respondent dated 23.04.2025 are set aside. Upon re-constitution of the Waqf Board, the first respondent / Waqf Board is directed to re-consider the subject matter and pass final orders within a period of three months from the date of re-constitution of the Board. **Until then, the existing Mutawalli and members shall continue to function i.e., status as on today shall continue till the disposal of the subject matter with regard to the removal of the petitioner.***

*8. Accordingly, this Writ Petition is disposed of. No costs. Consequently, connected stay petition is closed and connected impleading petition is dismissed.”*

4. Aggrieved by the above bold and underlined observations made by the learned Single Judge, the said Hereditary Mutawalli, namely, R.Dhoulath Hussain Khan, has filed Writ Appeal in W.A.(MD) No.941 of 2026. Considering the submissions made on behalf of the Tamil Nadu Waqf Board, on 03.07.2026, the Hon'ble Division Bench of this Court passed the following order: -

*“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*



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*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.”*

5. The argument of the petitioner that after the Interim Committee took over the management of the said Waqf, it engaged contractors for the renovation of the property, that a sum of about Rs.65,00,000/- has been spent and that about 60% of the work has been completed, is of no consequence.

6. The petitioner cannot claim a continuation of his tenure on account of the renovation work, particularly in the light of the fact that four out of the seven members of the Interim Committee appointed on 25.06.2025 have already resigned and that the tenure of the Interim Committee has also come to an end.

7. That apart, the Waqf Board has taken a decision to assume the direct management of the said Waqf under Section 65 of the Waqf Act, 1995. Therefore, the petitioner's claim for continuation beyond the tenure of the Interim Committee need not be considered.



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8. However, I direct the respondents herein to consider the representations of the petitioner dated 29.05.2026 and 07.07.2026, if it is quite necessary to facilitate the completion of the renovation work already undertaken and to avoid any further liability. Under these circumstances, I direct the respondents to take an appropriate decision on the petitioner's request in the light of the order passed by the Division Bench in W.A. (MD) No.941 of 2026, dated 03.07.2026.

9. With the above observations, this Writ Petition stands disposed of. There shall be no order as to costs.

**21.07.2026**

Neutral Citation : Yes / No

JEN



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**C.SARAVANAN, J.**

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