

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2021

CORAM : JUSTICE N.SESHASAYEE

W.P.Nos.8930, 8936, 4893, 5602, 5609, 5615,  
W.P.Nos. 5621, 5626, 5631, 5634 & 5639 of 2019  
and

WMP.Nos,9498, 9500, 9504, 9506,5575 , 5578, 6378, 6380  
6383, 6385, 6394,6395,6399, 6400, 6405, 6407, 6410, 6412, 6415,  
6416,  
6422 & 6424 of 2019

1.S.N.Faritha ... Petitioner in WP.No.8930 of 2019  
2.S.Syed Mohideen ... Petitioner in WP.No.8936 of 2019  
3.R.Anvardeen ... Petitioner in WP.No.4893 of 2019  
4.S.Abdullah ... Petitioner in WP.No.5602 of 2019  
5.H.Shakira Banu ... Petitioner in WP.No.5609 of 2019  
6.A.Ayesha ... Petitioner in WP.No.5615 of 2019  
7.A.Zakir Hussain ... Petitioner in WP.No.5621 of 2019  
8.J.Hussain ... Petitioner in WP.No.5626 of 2019  
9.Ayissha ... Petitioner in WP.No.5631 of 2019  
10.A.Shabana ... Petitioner in WP.No.5634 of 2019  
11.S.Khader Sheriff ... Petitioner in WP.No.5639 of 2019

Vs

1.The Sub Registrar  
Selayur, Chennai.

2.The District Registrar  
Chennai South  
Chennai - 600 073.

3.The Tamil Nadu Wakf Board  
Rep by its Chief Executive Officer  
No.1, Jaffer Syrang Street  
Vallal Seethakathi Nagar,  
Chennai.

.... Respondents in all WPs

Common Prayer : Writ Petitions filed under Article 226 of the  
Constitution of India praying to issue a Writ of Certiorarified  
Mandamus to call for the records of the 1<sup>st</sup> respondent ending  
with proceedings dated 4/1/19 and 25/01/2019 re in  
Na.Ka.No.242/18-4, Na.Ka.No.242/18-9, Na.Ka.No.242/18-8,  
Na.Ka.No.242/18-11, Na.Ka.No.242/18-3, Na.Ka.No.242/18-2,  
Na.Ka.No.242/18-7, Na.Ka.No.242/18-5, Na.Ka.No.242/18-1,  
Na.Ka.No.242/18-12, and Na.Ka.No.242/18-10 respectively and

quash the same and consequently direct the first respondent to register and release lease deed dated 16.11.2018.

For Petitioners: Mr.N.A.Nissar Ahmed in all WPs

For Respondents: Mr.T.M.Pappiah  
Special Government Pleader [R1 & R2]  
in all WPs

Mr.V.Lakshminarayanan [R3] in all WPs

COMMON ORDER

The petitioners herein are employees of the Wakf Board or the heirs, as the case may be. They have been granted lease by the Wakf Board as concerning the properties that belonged to Masjid-e-Anwari Wakf, Rajakilpakkam, Selaiyur, now in Chengalpet District. In this regard, a resolution has been passed by the Wakf Board on 28.08.2018. However, the concerned Sub Registrar, the first respondent herein refused to register the same, since the case of the petitioners are strictly covered by the said resolution.

2. Mr.T.M.Pappiah, learned Special Government Pleader takes notice for respondents 1 and 2, and Mr.V.Lakshminarayanan, learned counsel for the third respondent.

3. Mr.V.Lakshminarayanan, learned counsel explained to this Court that these properties is in danger of being lost to the encroachers and to preserve the properties for the Wakf, the Wakf Board has decided to lease it out to its staff for a ground lease, which would enable a reasonable use of the land profitably. This would also simultaneously benefit in preservation of the Wakf property. He submitted that there is no objection for the registration of any of the lease deeds. The said statement of the learned counsel is recorded.

4. This Court now quash the Government proceedings of the first respondent and direct him to register all the lease deeds as per the provisions of the Registration Act and Rules framed thereunder, within a period of two weeks from the date of receipt of a copy of this order.

5. The writ petitions are disposed of in the manner indicated. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-  
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To:

- 1.The Sub Registrar,  
Selayur, Chennai.
- 2.The District Registrar,  
Chennai South,  
Chennai - 600 073.
- 3.The Chief Executive Officer,  
Tamil Nadu Wakf Board,  
No.1, Jaffer Syrang Street,  
Vallal Seethakathi Nagar,  
Chennai.

+11cc to M/s.N.A.Inssar Ahmed, Advocate Sr.9659  
+1cc to the Government Advocate Sr.9913

W.P.Nos.8930, 8936, 4893, 5602,5609, 5615, 5621, 5626,  
& W.P.Nos.5631, 5634 & 5639 of 2019

srg 02/03/2021

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