



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. Nos.7984 to 7988, 27518, 27526 of 2014
& W.P. Nos.5322 to 5338,9061, 29994 to 29996 of 2015
and M.P.Nos.1 to 1 of 2014 in
W.P.Nos.7984 to 7988 of 2014

P.Meharu Nisha	...Petitioner in W.P.No.7984 of 2014
K.PEERAN MALI	...Petitioner in W.P.No.7985 of 2014
R.ASHA BANU	...Petitioner in W.P.No.7986 of 2014
I.MOHAMMED ANWAR	...Petitioner in W.P.No.7987 of 2014
A.R.MOHAMMED AZMATHULLAH	Petitioner in W.P.No.7988 of 2014
S.MASTHANI	...Petitioner in W.P.No.27518 of 2014
E.FARIDA	...Petitioner in W.P.No.27526 of 2014
B.DILSHATH	...Petitioner in W.P.No.5322 of 2015
N.JAMILA	...Petitioner in W.P.No.5323 of 2015
M.SURIYA BEGUM	...Petitioner in W.P.No.5324 of 2015
A.JAMILA	...Petitioner in W.P.No.5325 of 2015
R.SHAMSHAD	...Petitioner in W.P.No.5326 of 2015
N.FATHIMA	...Petitioner in W.P.No.5327 of 2015
F.TAJUDEEN	...Petitioner in W.P.No.5328 of 2015
K.MOBIN BANU	...Petitioner in W.P.No.5329 of 2015
F.TAJUDEEN	...Petitioner in W.P.No.5330 of 2015
THE PRESIDENT DHARUL HUDA WOMENS MADRASA PLOT NO.81 3RD STREET HAMEED OULIA NAGAR, KANCHEEPURAM	
F.RIHA	...Petitioner in W.P.No.5331 of 2015



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A.IMTHIYAS

...Petitioner in W.P.No.5332 of 2015

SALIMUN NISHA

...Petitioner in W.P.No.5333 of 2015

B.SABIRA

...Petitioner in W.P.No.5334 of 2015

U.RASOOL

...Petitioner in W.P.No.5335 of 2015

S.HAMEED

S/O.N.SIRASUDEEN

THE PRESIDENT HAMEED OULIA NAGAR

KUDIYIRUPPOR NALVAZHUVU SANGAM

PLOT NO.65 2ND STREET

HAMEED OULIA NAGAR

KANCHEEPURAM

...Petitioner in W.P.No.5336 of 2015

K.JEIBUN NISHA

...Petitioner in W.P.No.5337 of 2015

M.A.NAIMA

...Petitioner in W.P.No.5338 of 2015

M.SIDDIQE NISHA

...Petitioner in W.P.No.9061 of 2015

R.MUNAVAR BASHA

...Petitioner in W.P.No.29994 of 2015

N.ZABIULLAH

...Petitioner in W.P.No.29995 of 2015

AZEEZA BEGAM

...Petitioner in W.P.No.29996 of 2015

Vs.

1. The Assistant Engineer,
Tamil Nadu Electricity Board, (I&M),
Managadu Division, Se.Mi.Pa Taluk(South)/,
TNEB, Mangadu, Chennai-112.

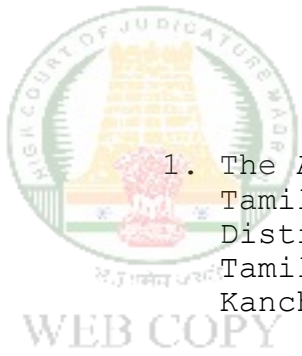
1st Respondent in
W.P.Nos.7984 to 7988, 27518 &
27526 of 2014 and 29994 to 29996 of 2015

2. The Tamil Nadu Electricity Board,
Represented by its Chairman,
Anna Salai, Chennai.

2nd Respondent in All WPs

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

3rd Respondent in
W.P.Nos.7984 to 7988, 27518 &
27526 of 2014 and 9061 & 5322 to 5338,
29994 to 29996 of 2015



1. The Assistant Engineer,
Tamilnadu Electricity Board,
Distribution/Siva Kanchi Division,
Tamilnadu Power Supply of Distribution Circle,
Kancheepuram. 1st Respondent in W.P.Nos.5322 to 5338 &
9061 of 2015

1. The Secretary,
Hazrath Syed Sadiq Nagar Jumma Mosque
No.1, T.A.Mohammed Sultan Main Road,
Syed Sadiq Nagar,
Mangadu, Chennai - 122. 4th Respondent in
W.P.Nos.29994 to 29996 of 2015

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 1st respondent to grant power connection to the petitioners property at No.462, Syed Sadiq Nagar, Mangadu, Chennai-122 without insisting upon NOC by the Waqf Board.

WP No.7984 of 2014 : Directing the 1st respondent to grant power connection to the petitioner's property at No.462, Syed Sadiq Nagar, Mangadu, Chennai-122 without insisting upon NOC by the Wakf Board

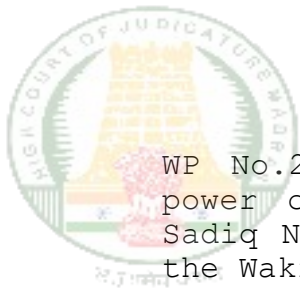
WP No.7985 of 2014 : Directing the 1st respondent to grant power connection to the petitioner's property at No.460, Syed Sadiq Nagar, Mangadu, Chennai-122 without insisting upon NOC by the Wakf Board

WP No.7986 of 2014 : Directing the 1st respondent to grant power connection to the petitioner's property at No.72, Syed Sadiq Nagar, Mangadu, Chennai-122 without insisting upon NOC by the Wakf Board

WP No.7987 of 2014 : Directing the 1st respondent to grant power connection to the petitioner's property at No.171, Syed Sadiq Nagar, Mangadu, Chennai-122 without insisting upon NOC by the Wakf Board

WP No.7988 of 2014 : Directing the 1st respondent to grant power connection to the petitioner's property at No.611, Syed Sadiq Nagar, Mangadu, Chennai-122 without insisting upon NOC by the Wakf Board

WP No.27518 of 2014 : Directing the 1st respondent to grant power connection to the petitioner's property at No.429, Syed Sadiq Nagar, Mangadu, Chennai-122, without insisting upon NOC by the Wakf Board



WP No.27526 of 2014 : directing the 1st respondent to grant power connection to the petitioner's property at No.479, Syed Sadiq Nagar, Mangadu, Chennai 122 without insisting upon NOC by the Wakf Board

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WP No.5322 of 2015 : Directing the 1st respondent to grant power connection to the petitioner's property at Plot No.123, 4th Street, Hameed Qulia Nagar, Kancheepuram, without insisting upon NOC by the Wakf Board

WP No.5323 of 2015: Directing the 1st respondent to grant power connection to the petitioner's property at Plot No.83, 3rd Street, Hameed Qulia Nagar, Kancheepuram, without insisting upon NOC by the Wakf Board

WP No.5324 of 2015 : Directing the 1st respondent to grant power connection to the petitioner's property at Plot No.82, 3rd Street, Hameed Qulia Nagar, Kancheepuram, without insisting upon NOC by the Wakf Board

WP No.5325 of 2015 : Directing the 1st respondent to grant power connection to the petitioner's property at Plot No.53, 2nd Street, Hameed Qulia Nagar, Kancheepuram, without insisting upon NOC by the Wakf Board

WP No.5326 of 2015 :Directing the 1st respondent to grant power connection to the petitioner's property at Plot No.95, 3rd Street, Hameed Qulia Nagar, Kancheepuram, without insisting upon NOC by the Wakf Board

WP No.5327 of 2015 :Directing the 1st respondent to grant power connection to the petitioner's property at Plot No.98, 4th Street, Hameed Qulia Nagar, Kancheepuram, without insisting upon NOC by the Wakf Board

WP No.5328 of 2015 : Directing the 1st respondent to grant power connection to the petitioner's property at Plot No.1, SN Odai Street, Hameed Qulia Nagar, Kancheepuram, without insisting upon NOC by the Wakf Board

WP No.5329 of 2015 :Directing the 1st respondent to grant power connection to the petitioner's property at Plot No.120, 4th Street, Hameed Qulia Nagar, Kancheepuram, without insisting upon NOC by the Wakf Board

WP No.5330 of 2015 :Directing the 1st respondent to grant power connection to the petitioner's property at Plot No.81, 3rd Street, Hameed Qulia Nagar, Kancheepuram, without insisting upon NOC by the Wakf Board



WP No.5331 of 2015 : directing the 1st respondent to grant power connection to the petitioner's property at Plot No.77, 3rd Street, Hameed Qulia Nagar, Kancheepuram, without insisting upon NOC by the Wakf Board

WP No.5332 of 2015 : directing the 1st respondent to grant power connection to the petitioner's property at Plot No.62, 2nd Street, Hameed Qulia Nagar, Kancheepuram, without insisting upon NOC by the Wakf Board

WP No.5333 of 2015 : directing the 1st respondent to grant power connection to the petitioners property at Plot No.104 4th Street Hameed Oulia Nagar Kancheepuram without insisting upon NOC by the Wakf Board

WP No.5334 of 2015 : directing the 1st respondent to grant power connection to the petitioner's property at Plot No.93, 3rd Street, Hameed Oulia Nagar, Kancheepuram, without insisting upon NOC by the Wakf Board

WP No.5335 of 2015 : directing the 1st respondent to grant power connection to the petitioner's property at Plot No.110, 4th Street, Hameed Qulia Nagar, Kancheepuram, without insisting upon NOC by the Wakf Board

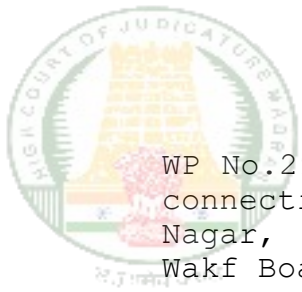
WP No.5336 of 2015 :directing the 1st respondent to grant power connection to the petitioner's property at Plot No.65, 2nd Street, Hameed Qulia Nagar, Kancheepuram, without insisting upon NOC by the Wakf Board

WP No.5337 of 2015 :directing the 1st respondent to grant power connection to the petitioner's property at Plot No.57, 2nd Street, Hameed Qulia Nagar, Kancheepuram, without insisting upon NOC by the Wakf Board

WP No.5338 of 2015 :directing the 1st respondent to grant power connection to the petitioner's property at Plot No.119, 4th Street, Hameed Qulia Nagar, Kancheepuram, without insisting upon NOC by the Wakf Board

WP No.9061 of 2015 : :Directing the 1st respondent to grant power connection to the petitioner's property at Plot No.56, 2nd Street, Hammed Qulia Nagar, Kancheepuram, without insisting upon NOC by the Wakf Board.

WP No.29994 of 2015 :Directing the 1st respondent to grant power connection to the petitioner's property at No.167, Syed Sadiq Nagar, Mangadu, Chennai.122 without insisting upon NOC by the Wakf Board



WP No.29995 of 2015 :Directing the 1st respondent to grant power connection to the petitioner's property at No.222, Syed Sadiq Nagar, Mangadu, Chennai.122 without insisting upon NOC by the Wakf Board

WP No.29996 of 2015 :Directing the 1st respondent to grant power connection to the petitioner's property at No.615, Syed Sadiq Nagar, Mangadu, Chennai.122 without insisting upon NOC by the Wakf Board

For Petitioners in : Mr.N.A.Nissar Ahmed
all Writ Petitions

For Respondent 1 & 2 : Mr.L.Jai Venkatesh,
in all Writ Petitions Standing Counsel

For Respondent 3 : Mr.Mohamed Fayaz Ali
in W.P. Nos.7984 to
7988,27518,27526 of 2014
&W.P. Nos.5322 to 5332,
5334 to 5338, 9061,of 2015

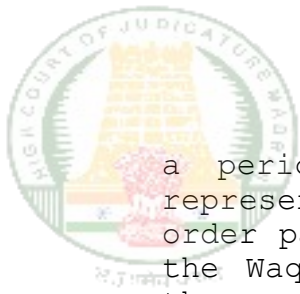
For Respondent 3 in : Mr.V.Raghavachari
W.P. Nos.29994 to 29996
of 2015

ORDER

All these Writ petitions have been filed for a direction to the respondents to provide service connection to the petitioners without insisting for the No Objection Certificate from the Waqf Board.

2. The issue involved in all these writ petitions is covered by the earlier order passed by this Court in W.P. Nos.2472 to 2484 of 2015, dated 04.04.2017. The benefit that was conferred by the order will also enure to the benefit of the petitioners in these Writ petitions.

3.In view of the above, all these Writ petitions are disposed of with a direction to the petitioners to submit a fresh representation to the Assistant Engineer along with the relevant documents to establish their possession. On receipt of the same, the Assistant Engineer shall comply with the requirements under Section 27(4) of Tamil Nadu Electricity Distribution Board and obtain the necessary indemnity bond from the petitioners. This condition is being imposed, since the Waqf Board has taken a specific stand that the petitioners are encroachers in the property. On completion of the formalities, the service connection shall be given to the petitioners, within



a period of eight weeks from the date of receipt of the representation from the petitioners. It is made clear that the order passed in these writ petitions will not come in the way of the Waqf Board initiating proceedings for taking possession of the property from the petitioners. No Costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Assistant Engineer,
Tamil Nadu Electricity Board, (I & M),
Mangadu Division, Se.Mi.Pa Taluk(South)/,
TNEB, Mangadu, Chennai-122.
2. The Chairman,
The Tamil Nadu Electricity Board,
Anna Salai, Chennai.
3. The Chief Executive Officer,
The Tamil Nadu Waqf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai-1.
4. The Assistant Engineer,
Tamilnadu Electricity Board,
Distribution/Siva Kanchi Division,
Tamilnadu Power Supply of Distribution Circle,
Kancheepuram.

+5cc to M/s.N.A.Nissar Ahmed, Advocate,
S.R.No.47597 to 47600&47602

+1cc to Mr.L.Jai Venkatesh, Advocate, S.R.No.47051

W.P. Nos.7984 to 7988, 27518, 27526 of 2014
&W.P. Nos.5322 to 5338,9061, 29994 to 29996 of 2015
and W.M.P.Nos.1, 1, 1, 1, 1, 1 of 2014

AJS (CO)
RGA(11/10/2021) (22/10/2021)