



W.P.No.3106 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2023

CORAM

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P.No. 3106 of 2023
and W.M.P.Nos.3174 & 3175 of 2023

Jayaraj

.. Petitioner

Versus

1.The District Collector
Cuddalore District

2.The Tahsildar
Chidambaram Taluk
Chidambaram

3.The Block Development Officer
Panchayat Union Office
Kamaratchi, Chidambaram Taluk
Cuddalore District

4.The President
C.Thendesaranallur Panchayat
Chidambaram Taluk
Cuddalore District

5.The Estate Officer
Tamil Nadu Public Premises Act
Wakf House No.1
Jaffar Syrang Street
Vallal Seethakathi Nagar



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Chennai – 600 001
6.M/s.Lalkhan Mosque Wakf
Represented by its Secretary
R.Mohammed Ziaudeen
No.1, Otthavalli Street
Chidambaram
Cuddalore District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, to call for the records relating to the impugned proceedings in No.PP/121/CUDD/2021 dated 02.01.2023 pending on the file of the fifth respondent and quash the same.

For Petitioner : Mr.R.Vijayakhumar

For Respondents : Mr.R.Anitha for R1 and R2
Special Government Pleader

ORDER

This Writ Petition has been filed challenging the proceedings in No.PP/121/CUDD/2021 dated 02.01.2023 issued by the fifth respondent and quash the same.

2. It is the contention of the learned counsel for the petitioner that the subject property is in possession of the petitioner for many years and the



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property does not belong to the Wakf Board. Such being the position, without any jurisdiction, the fifth respondent / Estate Officer has issued the impugned notice. Hence, seeks to quash.

3. Heard both sides and perused the materials placed on record.

4. At the outset, this Court is unable to comprehend the contention of the learned counsel for the petitioner. If at all, the petitioner has document to substantiate the claim that he is the owner of the property and the property does not belong to the Waqf Board, he can very well agitate the same before the Estate Officer. The impugned notice is merely a notice for appearance and for hearing. Therefore, if, the petitioner, has documents to establish his title over the subject property and the same does not belong to the Waqf Board, he is at liberty to produce the relevant documents before the Estate Officer. The fifth respondent / Estate Officer after perusing the documents and revenue records shall pass appropriate order(s) on merits and in accordance with law after hearing the necessary parties.



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5. In view of the above, this writ petition stands dismissed. No costs.

Consequently, connected miscellaneous petitions are closed.

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dhk

Index : Yes/No

Speaking Order : Yes/No

Neutral Citation : Yes/No



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N.SATHISH KUMAR, J.

dhk

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