



WEB COPY



W.P.No.35231 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P.No.35231 of 2022

Chennai Moosa Market Cottage
Industry Owners Association
Represented by its Secretary
Mr. Thiruvankadam S/o.Sundaram
Office At Old No. 14 New No. 20
Venkatesan II Street
Anna Salai, Chennai-600 002

... Petitioner

Vs.

1.Ismail Musa Wakf
represented by its Muthavalli
Mr. Aejaaz Sait,
Muthavalli of Ismail Muse Wakf
At Unit 1-A 1st Floor 'Shyamas Garden'
No.10 Kader Nawaz Khan Road.
Chennai-600 006

2.The Secretary
O/o Tamilnadu Wakf Board
Seethakathi nagar
Chennai-600 001

... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India
praying to issue a Writ of mandamus directing the 2nd respondent to



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consider the Petitioners representation dated 25.04.2022 to initiate appropriate action in accordance with law.

For Petitioner : Mr.N.Saravanan

ORDER

Writ petition is filed seeking to issue a Writ of mandamus directing the 2nd respondent to consider the Petitioners representation dated 25.04.2022 to initiate appropriate action in accordance with law.

2. It is the contention of the petitioners that the tenants are members of the association. However, Muthavalli has entered into a sale agreement with the well known persons and trying to dispose the above property. Therefore, the purchasers are trying to file a proceedings vacating the tenant on the grounds of demolition and reconstruction. Therefore, seeks to consider the representation to construct the new building fixing the nominal rent to the members.

3. At the outset, this Court is of the view that petitioners being the



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tenant cannot have no right to prevent the sale of property. Therefore, as
admittedly, the petitioners are the tenants they are protected by concerned
Rent Control Legislation.

4. In such view of the matter, there cannot be any directions as a
matter of right. Writ Petition is dismissed. No costs.

03.01.2023

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Internet: Yes

Index: Yes/No

Neutral citation: Yes/No

To

The Secretary

O/o Tamilnadu Wakf Board

Seethakathi nagar

Chennai-600 001



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N. SATHISH KUMAR, J.

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