



W.P.(MD).Nos.22777 to 22790 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.09.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).Nos.22777 to 22790 of 2023

W.P.(MD).No.22777 of 2023:

Manoharan

... Petitioner

Vs.

1.The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffar Sarang Street,
Vallal Seethakathi Nagar,
George Town, Chennai-600 001.

2.The Superintendent of Wakf Board,
No.8/124, II Floor,
Kayithe Millath Road,
Palakarai, Trichy-620 008.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a ***Writ of Mandamus***, to direct the respondents 1 and 2 to issue No Objection Certificate to the petitioner for the registration of the properties, situated in Survey Nos.561/2A, 563/1A and 563/2,



W.P.(MD).Nos.22777 to 22790 of 2023

WEB COPY

Thanthonimalai Village, Karur Taluk, Karur District, as averred in the petitioner's representation, dated 01.07.2023, within a time frame, as fixed by this Court.

In all cases:

For Petitioner	: Mr.P.Santhana Krishnan for M/s.KBS Law Office
For Respondents	: Mr.S.Hajamohideen Gisthi Senior Standing Counsel for Mr.S.A.Ajmal Khan Standing Counsel

COMMON ORDER

These writ petitions are filed for issuance of a writ of ***Mandamus***, to direct the respondents to issue No Objection Certificate to the petitioner for the registration of the properties based on the petitioner's representation, dated 01.07.2023, within a time frame, as fixed by this Court.

2. The petitioners are claiming title over the property through some deeds which were executed as early as 1940s. But the petitioner could not sell the property since the concerned Sub Registrar is objecting to register the



W.P.(MD).Nos.22777 to 22790 of 2023

WEB COPY

document claiming the property belong to Wakf.

3.The learned Senior Standing Counsel appearing for the respondents in all the writ petitions vehemently objected for the prayer to issue No Objection Certificate to the petitioners, since already the said lands were surveyed and earmarked as wakf properties and the said lands have been entered in the pro forma of the concerned wakf, therefore, the prayer in the writ petition cannot be granted.

4. However, the claim of the petitioner is that the sale deed was executed in their favour as early as 1940s. Therefore, this Court is of the considered opinion that the petitioner's claim ought to be considered based on their documents. Therefore, the respondents are directed to consider the petitioners' representation in accordance to law and pass orders within a period of six weeks from the date of receipt of a copy of this order.

5. With the above said observation, the writ petitions are disposed



W.P.(MD).Nos.22777 to 22790 of 2023

WEB COPY

of. No costs.

20.09.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No

Tmg



WEB COPY



W.P.(MD).Nos.22777 to 22790 of 2023

S.SRIMATHY, J.

Tmg

W.P.(MD).Nos.22777 to 22790 of 2023

20.09.2023