



W.P. No. 4776 of 2024

**WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 01.03.2024**

**CORAM**

**THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU**

**W.P. No. 4776 of 2024**

S.Sivaraman

... Petitioner

-VS-

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

2. The Superintendent of Waqf,  
Office of the District Superintendent of Waqfs Chennai District  
No. 139, Dr. Besant Road,  
Ice House, Thiruvallikeni,  
Chennai - 600 005.

... Respondents

**Prayer:-** Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondents to remove the lock and seal of the Respondents over the land and building of the Petitioner situate at Door No. 24/25, C.P.Raman Salai, Chennai - 600 005 bearing Survey No. 1053/2 measuring about 1780 sq.ft.



W.P. No. 4776 of 2024

For Petitioner : Mr. E.Hariharan

For Respondents : Mr. Fakkir Mohideen

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## ORDER

Heard Mr. E.Hariharan, Learned Counsel for the Petitioner and Mr. Fakkir Mohideen, Learned Counsel for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition has been filed for directing the Respondents to remove the lock and seal of the Respondents over the land and building of the Petitioner situate at Door No. 24/25, C.P.Raman Salai, Chennai - 600005.

3. Since the Petitioner has an effective alternative remedy to seek the relief sought in this Writ Petition by filing an application under Section 83 of the Waqf Act, 1995, before the Waqf Tribunal, Learned Counsel for the Petitioner seeks permission of the Court to withdraw the Writ Petition reserving the rights of the Petitioner to resort to the aforesaid procedure, and he has made an endorsement to that effect in the court record.



W.P. No. 4776 of 2024

**WEB COPY** In view of the same, the Writ Petition is dismissed as withdrawn with the aforesaid clarifications. It is made that clear for the purpose of reckoning limitation for availing the aforesaid remedy, the period from the date of filing of the Writ Petitions, viz., 20.02.2024, till the date on which the certified copy of this order is made ready by the Registry, shall be excluded. No costs.

01.03.2024

Index: Yes/No

NCC: Yes/No

**Note: Issue order copy by 18.04.2024.**

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To

1. The Chief Executive Officer,  
Tamil Nadu Wakf Board,  
No. 1, Jaffar Syrang Street,  
Vallal Seethakathi Nagar,  
Chennai - 600 001.
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**W.P. No. 4776 of 2024**

**P.D. AUDIKESAVALU, J.**

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