



W.P.No.4705 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2024

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.4705 of 2013

1. Ummul Nisha
2. M.Ayesha Begum
3. Meeran

.. Petitioners

Vs.

1. The State of Tamil Nadu
Rep. by its Secretary
Backward Classes, Most Backward Classes
and Minorities Welfare (T1) Department
Fort St. George, Chennai 600 006.
2. The Tamil Nadu Wakf Board
Rep. by its Chief Executive Officer
"Wakf House"
No.1, Jaffar Syrang Street
Vallal Seethakathi Nagar
Chennai 600 001.
3. The Estate Officer cum Chief Executive Officer
Tamil Nadu Wakf Board
No.1, Jaffar Syrang Street
Vallal Seethakathi Nagar
Chennai 600 001.



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4. Union of India
Rep. by its Secretary
Ministry of Law & Justice
New Delhi.

5. Dastagir Sahib Jamia Mosque and Endowment
Rep. by its Secretary
No.54, Mosque Garden
Jones Road, Saidapet
Chennai 600 015.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of Declaration declaring the Tamil Nadu Public Premises (Eviction of Unauthorised Occupants) Act, 1975 as amended by Tamil Nadu Public Premises (Eviction of Unauthorised Occupants) Amendment Act (Act No.33 of 2010) published in the Tamil Nadu Government Gazette Extraordinary dated 02.12.2010 in so far as it includes premises belonging to wakf registered with the second respondent, as being beyond the legislative competence of the State Legislature, illegal, void and ultra vires Articles 14, 246(2) and 254 of the Constitution.

For the Petitioners : Mr.V.Parthiban
For Ms.P.Bhuvaneswari

For the Respondents : Mr.P.S.Raman
Advocate General
Assisted by Mr.T.K.Saravanan
Government Advocate for R1

Mr.Avinash Wadhwani
For Mrs.V.Srimathi for RR 2 & 3

Mr.B.Rabu Manohar for R4

Mr.N.A.Nissar Ahamed, SC
For Mr.I.Kowser Nissar for R8



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ORDER

(Made by the Hon'ble Chief Justice)

Learned counsel for the petitioners, on instructions, seeks leave to withdraw the writ petition.

2. In the light of that, the writ petition is dismissed as withdrawn. There shall be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

07.02.2024

Index : Yes/No
Neutral Citation : Yes/No

kpl

To

1. The Secretary
State of Tamil Nadu
Backward Classes, Most Backward Classes
and Minorities Welfare (T1) Department
Fort St. George
Chennai 600 006.

2. The Chief Executive Officer



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- Tamil Nadu Wakf Board
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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J

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