



W.P.No.11419 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.10.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.11419 of 2020

And

W.M.P.No.13931 of 2020

Amanusha Fakkir Dargah
Mr.J.Hassan Mohideen
Rep. by its President
The Management Committee
Srivilliputtur,
Virudhunagar District.

... Petitioner

Vs.

- 1.The Tamil Nadu Waqf Board
rep. by its Chief Executive Officer
No.1, Jaffar Serang Street
Vallal Seethakathi Nagar
Chennai – 600 001.
- 2.The Chief Executive Officer
The Tamil Nadu Waqf Board
No.1, Jaffar Serang Street
Vallal Seethakathi Nagar
Chennai – 600 001.
- 3.The Superintendent of Waqfs
Ramanathapuram,
Ramanathapuram District.
- 4.The Waqf Inspector
Virudhu Nagar,
Virudhu Nagar District.



W.P.No.11419 of 2020

5. The State of Tamil Nadu
Rep. by its Secretary
Department of Backward Class
and Minorities Welfare,
Secretariat,
Fort St. George,
Chennai – 600 009.
6. The District Collector
Virudhunagar District,
Virudhunagar.
7. The Sub Registrar,
Srivilliputtur.
8. The District Registrar,
58/1 Kutchery Road,
Virudhunagar District.
9. The Superintendent of Police,
Virudhunagar District.
10. The Inspector of Police,
Town Police Station,
Rajaji Road,
Srivilliputtur,
Pincode 626 125.
11. The Municipal Commissioner,
Srivilliputtur Municipality,
Srivilliputtur.
12. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Sivakasi.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to
issue a Writ of Mandamus directing the second respondent herein to



W.P.No.11419 of 2020

enforce the order of the first respondent dated 19.06.2018 made in Na.Ka.No.13166/02/Aa3/Virudhu by way of initiating appropriate action under Sections 51 and 52 of the Waqf Act, 1995, together with appropriate action under the Public Premises Act, 1971, to retrieve the various portion of waqf properties of the petitioner Dargah comprised in T.S.No.842, T.S.No.828/1 and 828/4 situated at No.54, Thaikka Patti Street, Amanusha Fakkir Dargha, Srivilliputtur.

For Petitioner : Mr.Karthik Eswaran.J.

For Respondents : Mr.C.Shankar for R1 to R4
Mr.U.Baranidharan for R5 to R8, R12
Additional Government Pleader
Mr.L.Baskaran for R9 and R10
Government Advocate (Crl. Side)

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the second respondent to enforce the order of the first respondent dated 19.06.2018 made in Na.Ka.No.13166/02/Aa3/Virudhu by way of initiating appropriate action under Sections 51 and 52 of the Waqf Act, 1995, together with appropriate action under the Public Premises Act, 1971, to retrieve the various portion of Waqf properties of the petitioner Dargah comprised in T.S.No.842, T.S.No.828/1 and 828/4 situated at No.54, Thaikka Patti Street, Amanusha Fakkir Dargha, Srivilliputtur.



W.P.No.11419 of 2020

WEB COPY

2.The learned counsel appearing for the petitioner submitted that some third parties encroached portion of the properties belonging to the petitioner Dargah and the petitioner made representation to the first respondent seeking to retrieve the said properties and the first respondent passed an order dated 19.06.2018 granting power to the second respondent to take action to retrieve the lands belonging to the petitioner, however, till date the said order was not implemented.

3.In view of the above, the first respondent is directed to implement the order dated 19.06.2018, if there is no legal impediment, within a period of twelve weeks from the date of receipt of a copy of this order.

4.The writ petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

23.10.2024

pri

Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

4/6



W.P.No.11419 of 2020

WEB COPY

To

- 1.The Tamil Nadu Waqf Board
rep. by its Chief Executive Officer
No.1, Jaffar Serang Street
Vallal Seethakathi Nagar
Chennai – 600 001.
- 2.The Chief Executive Officer
The Tamil Nadu Waqf Board
No.1, Jaffar Serang Street
Vallal Seethakathi Nagar
Chennai – 600 001.
- 3.The Superintendent of Waqfs
Ramanathapuram,
Ramanathapuram District.
- 4.The Waqf Inspector
Virudhu Nagar,
Virudhu Nagar District.
- 5.The State of Tamil Nadu
Rep. by its Secretary
Department of Backward Class
and Minorities Welfare,
Secretariat,
Fort St.George,
Chennai – 600 009.
- 6.The District Collector
Virudhunagar District,
Virudhunagar.
- 7.The Sub Registrar,
Srivilliputtur.
- 8.The District Registrar,
58/1 Kutchery Road,
Virudhunagar District.

5/6



WEB COPY



W.P.No.11419 of 2020

M.DHANDAPANI,J.
pri

9.The Superintendent of Police,
Virudhunagar District.

10.The Inspector of Police,
Town Police Station,
Rajaji Road,
Srivilliputtur,
Pincode 626 125.

11.The Municipal Commissioner,
Srivilliputtur Municipality,
Srivilliputtur.

12.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Sivakasi.

W.P.No.11419 of 2020
And
W.M.P.No.13931 of 2020

23.10.2024