



W.P.No.13314 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2024

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.13314 of 2020

Mohamed Siddik

.. Petitioner

vs

1.The Chief Executive Officer,
Tamilnadu Wakf Board,
Chennai.

2.The Wakf Superintendent,
Trichy.

3.The Wakf Inspector cum Executive Officer,
Peerulla Sha Makkan, V.Kalathur,
Perambalur.

4.The District Collector,
Perambalur District.

5.The Revenue Divisional Officer,
Perambalur.

6.The Tahsildar,
Veppanthattai Taluk,
Perambalur District.

.. Respondents



W.P.No.13314 of 2020

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the 4 to 6 respondents to cancel the individuals illegal pattas to the Perullah Shah Makan Wakf comprised in Survey Nos.51-6, 51-9, 52-1, 52-12, 53-6, 51-11, 51-13, 52-3, 78-5, 52-4, 52-5, 52-6, 52-7, 52-8, 52-9, 53-2, 55-2, 55-5, 78-23, 53-13, 78-1, 78-6, 78-24, 78-25, 78-12, 78-13, 78-21, 78-22, 78-14, 78-20, 78-15, 78-17, 78-18, 44-2, 78-4, 94, 93-1, 93-2, 94-3, 93-3, 93-4, 44-1, 44-2 located in Vannarampoondi Hamlet, V.Kalathur village, Veppanthattai Taluk, Perambalur District pursuant to the petitioner representation dated 18.6.2020.

For the Petitioner : Mr.G.Prabhu

For the Respondents : Mr.C.Shankar
for respondents 1 to 3

: Mr.K.Karthik Jagannath
Government Advocate
for respondents 4 to 6

ORDER

(Order of the court was made by the Hon'ble Chief Justice)

We have heard Mr.G.Prabhu, learned counsel for the petitioner; Mr.C.Shankar, learned counsel for respondents 1 to



W.P.No.13314 of 2020

3; and, Mr.K.Karthik Jagannath, learned Government Advocate
for respondents 4 to 6.

2. Learned counsel for the petitioner submits that the subject properties are Waqf properties and even a notification is issued to the effect that the properties are Waqf properties.

3. The Tahsildar, Veppanthattai, has filed the counter-affidavit disputing the claim of the petitioner and stated that the properties in question are not the Waqf properties and pattas are issued.

4. If dispute exists with regard to the nature of the properties i.e., Waqf or otherwise, then the remedy lies under Section 83 of the Waqf Act, 1995. The aggrieved/interested party can avail the said remedy.



W.P.No.13314 of 2020

WEB COPY

5. With these observations, the writ petition stands disposed of. There shall be no order as to costs.

(S.V.G., C.J.)

(D.B.C., J.)

02.02.2024

Index : Yes/No
Neutral Citation : Yes/No
bbr

To

- 1.The Chief Executive Officer,
Tamilnadu Wakf Board,
Chennai.
- 2.The Wakf Superintendent,
Trichy.
- 3.The Wakf Inspector cum Executive Officer,
Peerulla Sha Makkan, V.Kalathur,
Perambalur.
- 4.The District Collector,
Perambalur District.
- 5.The Revenue Divisional Officer,
Perambalur.
- 6.The Tahsildar,
Veppanthattai Taluk,
Perambalur District.



WEB COPY



W.P.No.13314 of 2020

THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY,J.

bbr

W.P.No.13314 of 2020

02.02.2024



WEB COPY



W.P.No.13314 of 2020