



W.P.(MD)No.19837 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

and

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P.(MD)No.19837 of 2021

Abiramam Periya Pallivasal Trust,

No.1, Muslim Bazaar,

Abiramam – 623 601.

Kamuthi Taluk,

Ramanathapuram District,

Represented by its,

Managing Trustee,

K.S.Omar Siddiq,

S/o.Sahul Hameed

: Petitioner

Vs.

1.The Chief Executive Officer,

Tamil Nadu Wakf Board,

No.1, Jaffar Sherong Street,

Vallal Seethakathi Nagar,

Behind Customs House,

Rajaji Salai,

Chennai – 600 001.



W.P.(MD)No.19837 of 2021

2.The Wakf Superintendent,
159/3, Therpasayanam Road,
Velipattinam,
Ramanathapuram – 623 507.

3.The Revenue Divisional Officer and
Sub Divisional Magistrate,
Madurai – Rameswaram High Way,
Kaatuparamakudi,
Paramakudi – 623 707.
Ramanathapuram District.

4.The Tahsildar and
Second Class Executive Magistrate,
Kamuthi Taluk,
Kottaimedu,
Kamuthi – 623 604.

5.The Inspector of Police,
Abiramam Police Station,
Abiramam – 623 601,
Ramanathapuram District.

6.V.S.Nazeer Hussain : Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents 1 to 4 to consider the petitioner's representation dated 30.09.2021



W.P.(MD)No.19837 of 2021

and conduct an enquiry and pass appropriate orders for removing the encroachments made by the sixth respondent in the Wakf property belongs to the petitioner Pallivasal comprising in GR Survey No.265/686 B situated at Ismail Street, Abiramam Town Panchayat, Abiramam, Ramanathapuram District.

For Petitioner : Ms.Seeni Ragmath Nisha
For Respondents 1 & 2 : Mr.D.S.Haroon Rasheed
Standing Counsel
For Respondents 3 to 4 : Mr.S.R.A.Ramachandran
Additional Government Pleader
For Respondent No.5 : Mr.P.Kottaisamy
Government Advocate [Crl. Side]
For Respondent No.6 : Mr.J.Barathan

O R D E R

[Order of the Court was made by **M.S.RAMESH, J.**]

The Writ Petition is for directing the respondents 1 to 4 to consider the petitioner's representation dated 30.09.2021 and conduct an enquiry and pass appropriate orders for removing the encroachments made by the sixth respondent in the Wakf property belonging to the petitioner Pallivasal comprising in GR Survey No. 265/686 B situated at Ismail Street, Abiramam Town Panchayat, Abiramam, Ramanathapuram District.



W.P.(MD)No.19837 of 2021

WEB COPY

2.In the light of the fact that the survey has been conducted and the respondents have found that the property in question belongs to the petitioner Trust, they may be justified in seeking for removal of the sixth respondent from their property. In this regard, the petitioner is granted liberty to work out their remedy in accordance with law.

3.Accordingly, this Writ Petition stands disposed of. There shall be no order as to costs.

[M.S.R.,J.] & [A.D.M.C.,J.]
11.12.2024

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

MR



WEB COPY



W.P.(MD)No.19837 of 2021

To

- 1.The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffar Sherong Street,
Vallal Seethakathi Nagar,
Behind Customs House,
Rajaji Salai,
Chennai – 600 001.

- 2.The Wakf Superintendent,
159/3, Therpasayanam Road,
Velipattinam,
Ramanathapuram – 623 507.

- 3.The Revenue Divisional Officer and
Sub Divisional Magistrate,
Madurai – Rameswaram High Way,
Kaatuparamakudi,
Paramakudi – 623 707.
Ramanathapuram District.



WEB COPY



W.P.(MD)No.19837 of 2021

4.The Tahsildar and
Second Class Executive Magistrate,
Kamuthi Taluk,
Kottaimedu,
Kamuthi – 623 604.

5.The Inspector of Police,
Abiramam Police Station,
Abiramam – 623 601,
Ramanathapuram District.



WEB COPY



W.P.(MD)No.19837 of 2021

M.S.RAMESH, J.
and
A.D.MARIA CLETE, J.

MR

ORDER MADE IN
W.P.(MD)No.19837 of 2021

11.12.2024