



W.P.(MD) No.28132 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD) No.28132 of 2024

and

W.M.P.(MD) Nos.23863 and 23864 of 2024

A.Ali Akbar,
Managing Trustee,
Mohideen Aandavar, Puradhana Dargah and Pallivasal,
Mina Noordooen Puradhana Dargah and Pallivasal Wakf,
Therkuvasal, Madurai District-101 102,
Chinnakadai Street, Therkuvasak, Madurai. .. Petitioner

Vs.

- 1.The Tamil Nadu Wakf Board,
Rep., by its Chief Executive Officer,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar, Chennai-1.
- 2.The Wakf Superintendent/Executive Officer,
Madurai Wakf Board Office Circle,
Tamil Nadu Wakf Board, Madurai. .. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorari, to call for records of the first respondent ending with the order dated 15.10.2024 in Na.Ka.No. 11006/18/Aa8/Madurai and quash the same.



W.P.(MD) No.28132 of 2024

For Petitioner : Mr.Nissar Ahamed
Senior Counsel
assisted by
Mr.I.Kowser Nissar

For Respondents : Mr.D.S.Haroon Rasheed

ORDER

The challenge in the writ petition is the order of the Wakf Board dated 15.10.2024, wherein the Trustee had been removed from the Trustees of the Wakf Board, which had taken over direct management of the Wakf.

2. Against such an order, an appeal under Section 83 of the Wakf Act, 1995 before the Wakf Tribunal is efficaciously available.

3. However, the learned Senior Counsel appearing on behalf of the petitioner would contend that in spite of granting adjournments, the Wakf Board has proceeded to pass orders. The reason for seeking adjournment was the *Sandhanakkoodu* festival that was being celebrated at the relevant point of time.



W.P.(MD) No.28132 of 2024

WEB COPY

4. Even though adjournment had been sought for, a detailed objection seems to have been filed by the petitioner before the Wakf Board and was represented by a counsel in that regard. Hence, I am of the view that it is only for the petitioner to file an appeal under Section 83 of the Wakf Act before the Wakf Tribunal.

5. With the aforesaid liberty to the petitioner to approach the Tribunal, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

25.11.2024

Note: Issue order copy by 27.11.2024.

NCC : Yes/No

Index : Yes/No

Internet : Yes

abr



WEB COPY



W.P.(MD) No.28132 of 2024

K.KUMARESH BABU, J.

abr

To

- 1.The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar, Chennai-1.
- 2.The Wakf Superintendent/Executive Officer,
Madurai Wakf Board Office Circle,
Tamil Nadu Wakf Board, Madurai.

W.P.(MD) No.28132 of 2024

Dated: 25.11.2024