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W.P.No.4291 of 2020

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 06.10.2025**

**CORAM**

**THE HONOURABLE MR.JUSTICE M.DHANDAPANI**

**W.P.No.4291 of 2020**

**And**

**W.M.P.No.5080 of 2020**

- 1 MOHAMMED KALEMULLAH SHERIFF
  - 2 MOHAMMED KALELULLAH SHERIFF
  - 3 MOHAMMED OMAR SHERIFF
  - 4 MOHAMMED BURHAN SHERIFF
  - 5 MOHAMMED SUHAIL SHERIFF
- ... Petitioners

**Vs.**

- 1 THE TAMIL NADU WAKF BOARD,  
REP. BY ITS SPECIAL OFFICER,  
NO.1, JAFFER SYRANG STREET,  
VALLAL SEETHAKATHI NAGAR,  
CHENNAI – 600 001.
- 2 THE CHIEF EXECUTIVE OFFICER,  
THE TAMIL NADU WAKF BOARD,  
NO.1, JAFFER SYRANG STREET,  
VALLAL SEETHAKATHI NAGAR,  
CHENNAI – 600 001.
- 3 BARAFATH CHARITIES @ SHEIK DAWOOD MEELAD  
WAKF COMMITTEE,  
REP. BY EXECUTIVE OFFICER / SUPERINTENDENT OF WAKF,  
NO.139, DR.BESANT ROAD,  
ICE HOUSE,  
TRIPLICANE,  
CHENNAI – 600 005.



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4 THE SECRETARY,  
THE DEPARTMENT OF BACKWARD CLASSES,  
MOST BACKWARD CLASSES, AND MINORITIES WELFARE  
THE DIRECTORATE OF BACKWARD CLASSES WELFARE,  
EZHILAGAM, ANNEXE BUILDING,  
CHEPAUK, CHENNAI – 600005.

(R4 – *suo motu* impleaded vide  
order dated 06.10.2025 in W.P.  
No.4291 of 2020 by MDIJ)

... Respondents

**Prayer:**

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to conduct proper enquiry on the petition dated 10.10.2018 submitted by the petitioners and appoint the petitioners as Joint Muthavallis of the third respondent Wakf as per the third respondent Wakf Proforma.

For Petitioners : Mr.Abhinav Parthasarathy  
For Respondents : Mr.Haja Mohideen Gisthi for R1 & R2  
Mr.N.A.Nassir Hussain for R3

**O R D E R**

This writ petition has been filed seeking issuance of Writ of Mandamus directing the first respondent to conduct proper enquiry on the petition dated 10.10.2018 submitted by the petitioners and appoint the petitioners as Joint Muthavallis of the third respondent



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Wakf as per the third respondent Wakf Proforma.

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2.The learned counsel appearing for the petitioner submitted that the third respondent is functioning without any Muthavalli for more than a decade and non appointment of Muthavalli is not sustainable one and hence the petitioners made petition dated 10.10.2018 for appointing the petitioners as Joint Muthavallis and the said petition was not considered on the ground that Special Officer is not available to consider the said petition. Hence, this Court may implead the Secretary, Department of Backward Classes, Most Backward Classes and Minorities Welfare as one of the respondent in this writ petition and issue direction to the State Government to appoint Special Officer of the first respondent and permit the petitioners to file fresh petition before the first respondent so as to enable the first respondent to consider the petitioners representation.

3.The learned counsel appearing for the respondents 1 and 2 and the learned counsel appearing for the third respondent raise no serious objection.

4.In view of the above, this Court *suo motu* impleads 'The



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Secretary, The Department of Backward Classes, Most Backward Classes, and Minorities Welfare at The Directorate of Backward Classes Welfare, Ezhilagam Annexe Building, Chepauk, Chennai – 600005' as the fourth respondent in the writ petition.

5.The fourth respondent is directed to appoint Special Officer of the first respondent, within a period of six weeks from the date of receipt of a copy of this order. Thereafter, the petitioners are permitted to make fresh petition for appointment of Muthavalli. If the petitioners make any such petition, the first respondent is directed to consider the same, on merits and in accordance with law and after providing opportunity to all the persons concerned, pass appropriate orders, within a period of six weeks thereafter.

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

06.10.2025

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Index: Yes/ No  
Speaking Order: Yes/ No  
NCC: Yes/ No

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**M.DHANDAPANI,J.**  
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