



W.P.No.5825 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated: 20.02.2025

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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Mohamed Yoosuff,

... Petitioner

/versus/

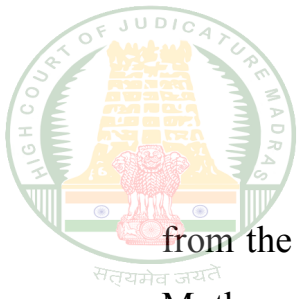
1. The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

2. The Tamil Nadu Wakf Board,
rep by its Chief Executive Officer,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

3. Mohamed Sali,
S/o.Mohamed Sheik Maroof,
No.107, Sonakar Street,
Cuddalore - 607 003.

... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the respondents 1 and 2 to consider the petitioner representation dated 09.01.2025 seeking to remove the 3rd respondent



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from the post of hereditary Muthawalli and recognize the petitioner as hereditary Muthawalli.

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For Petitioner	: Mr.M.Nuzhath Khanam
For Respondents	: Ms.A.Ajimath Begam, R3.
	: Mr.Avinash Wadhwani, R1 & R2

ORDER

The writ petition is filed for a direction to the respondents 1 and 2 to consider the petitioner's representation dated 09.01.2025. The representation contains different averments. However, the said representation shall be taken up for enquiry with reference to the complaint against the existing Muthawalli alone.

2. When the matter came up for admission, Mr.Avinash Wadhwani, the Learned Counsel took notice on behalf of the Wakf Board would submit that if ample time is given the Wakf Board can take up the same for enquiry in the manner known to law.



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3. Ms.A.Ajimath Begam, Learned Counsel takes notice on behalf of

WEB COPY the 3rd respondent submitted that the allegations are false. It is only the petitioner's father who had alienated the Wakf property and they are fighting to retrieve the said property and therefore, the false allegation is made. Be that as it may, the contentious allegations that are made both by the petitioner and the 3rd respondent can be looked into by the first respondent in the manner known to law.

4. In view thereof, this writ petition is disposed of on the following terms:

(i) The first respondent is directed to consider the representation dated 09.01.2025 and take up the same for enquiry. During the enquiry, the first respondent can issue notice to the petitioner as well as the 3rd respondent. After hearing both of them, the matter can be decided with reference to the allegations against each other and appropriate orders can be passed in the manner known to law within a period of four months, from the date of receipt of web copy of the order without waiting for the certified copy of the order.



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(ii) As far as the claim of the petitioner as hereditary Muthawalli , the

same cannot be clubbed along with this. If the petitioner feels that he is entitled to be appointed as hereditary Muthawalli, it will be open for the petitioner to make a separate application in that regard in the manner known to law.

5. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

20.02.2025

Neutral Citation : No.
bsm

To,
1. The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

2. The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

3. The Government Pleader, High Court, Madras.



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