



W.A.No.1685 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2025

CORAM

THE HONOURABLE Mrs. JUSTICE J.NISHA BANU
AND
THE HONOURABLE Mr.JUSTICE M.JOTHIRAMAN

WA NO. 1685 of 2025
and CMP.No.12685 of 2025

Alhaj Haji Sy Mohammed Ali
S/o. Mohammed Yahooob (Late), Muthavalli, Syed
Shah Vajiuddi Aulia Dargha Masjid and Burial
Ground Waqf, Bade Sahib Street, Thalayatham,
Gudiyatham, Vellore District

..Appellant

Vs

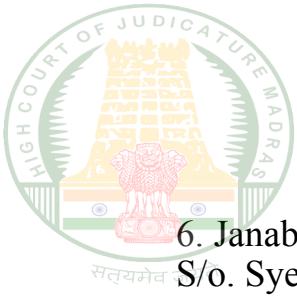
1.The Chief Executive Officer
Tamil Nadu Wakf Board, No.1, Jaffer Syrang
Street, Vallal Seethakathi Nagar, Chennai-1.

2. The Superintendent
Tamil Nadu Wakf Board, No. 8, Bahadhusa Masjid Campus, Sainathapuram,
Vellore-632001.

3. Janab Syed Jalaluddin
S/o. Late Syed Shah Wajiuddin (A) Hazarat Piran Res. at No.2D, Bade Sahib
Street, Thalayatham, Gudiyatham Towm, Vellore District-632 602.

4. Janab. Riazuddin
S/o. Late Syed Qutbuddin, Res. at No.2D, Bade Sahib Street, Thalayatham,
Gudiyatham Towm, Vellore District-632 602.

5. Janab Syed Ahmed Piran
S/o. Syed Shah Wajiuddin (A) Hazarat Piran (Late), Res. at No.2D, Bade
Sahib Street, Thalayatham, Gudiyatham Towm, Vellore District-632 602.



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6. Janab Syed Nizamuddinn

S/o. Syed Shah Wajiuddin (A) Hazarat Piran (Late) Res. at No.2D, Bade Sahib Street, Thalayatham, Gudiyatham Towm, Vellore District-632 602.

7. Janab Nasiruddin

S/o. Late Syed Moinuddin, Res. at No.2D, Bade Sahib Street, Thalayatham, Gudiyatham Towm, Vellore District-632 602.

..Respondent(s)

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent praying to set aside the order dated 17.03.2025 passed in W.P.No.9146 of 2025 by the learned Single Judge.

For Appellant : Mr.K.Mohanamurali

For Respondents: Mr.Mohammed Fayaz Ali, For R1

ORDER

(Order of the Court was made by the Hon'ble J.Nisha Banu J.)

This Writ Appeal has been filed praying to set aside the order dated 17.03.2025 passed in W.P.No.9146 of 2025 by the learned Single Judge.

2. When the matter came up for admission, learned counsel for the appellant submits that the subject matter of the property was declared as Waqf



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property as per the Waqf Act 1954, however, the findings given by the Authority is that it is a private wakf .

3. The order of the Writ Court is that the writ petitioner has got an effective alternative remedy by way of approaching the Wakf Tribunal under Section 83 of the Wakf Act 1995.

4. It is transpired that the contentions of the appellant raised in this writ appeal has already been raised before the authority-Chief Executive Officer,Tamil Nadu Wakf Board and the learned Single Judge. The learned Single Judge has rightly found that when there are numerous orders that are passed by this court on the earlier occasions, the petitioner should be relegated to the alternative remedy.

5. We agree with the view of the learned Single Judge. Therefore, the appellant can file appeal before the Wakf Tribunal and adjudicate the issues by raising all grounds taken in this appeal before the Tribunal. The Wakf Tribunal shall consider the appeal and adjudicate the issues raised before it and decide the same on merits and in accordance with law within a period of 12 weeks from the date of receipt of a copy of this order.



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WEB COPY 6. The writ appeal is dismissed with the above observation. No costs.

Consequently connected Miscellaneous Petition is closed.

(J.NISHA BANU J.) (M.JOTHIRAMAN J.)
09-06-2025

nvsri

To

1. The Chief Executive Officer
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Vallal Seethakathi Nagar, Chennai-1.
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M.JOTHIRAMAN, J.**

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