



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **04-11-2025**

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

WP No. 14837 of 2024

G.Krishnan

Petitioner

Vs.

The District Revenue Officer,
Chief Executive Officer,
Tamil Nadu Waqf Board,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai – 600 001.

Respondent

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of a writ of Mandamus, directing the respondent to delete the properties situated at Survey Nos.769/1 to 13 and 768/1 to 14, (Old Survey Nos.887/A and B and 888/A and B) to an extent of 6.78 acres 106.5 Hectares and 1.72.5 hectares situated at Bhavani Village, Bhavani Taluk, Erode District from the Property Register of respondent namely “Proforma Report” within a stipulated time.

For Petitioner: Mr.M.Selvam

For Respondent: Mr.Mohammed Fayaz Ali



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ORDER

This Writ Petition has been filed for issuance of a writ of Mandamus, directing the respondent to delete the properties situated at Survey Nos.769/1 to 13 and 768/1 to 14, (Old Survey Nos.887/A and B and 888/A and B) to an extent of 6.78 acres 106.5 Hectares and 1.72.5 hectares situated at Bhavani Village, Bhavani Taluk, Erode District, from the Property Register of the respondent, namely the “Proforma Report”.

2.Heard Mr.M.Selvam, learned counsel for the writ petitioner and Mr.Mohammed Fayaz Ali, learned counsel for the respondent.

3.The grievance of the petitioner is that the property, which belongs to the petitioner, is not being permitted to be registered by the Registrars concerned, citing communication of the Waqf Board that the subject property belongs to certain Waqfs.

4.The learned counsel for the respondent would bring to my notice that even as early as in RC.No.2547/2023/B2/CBE dated 26.12.2023, the Chief Executive Officer has sent a communication to the Inspector General of



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Registration, Chennai, requesting the Inspector General of Registration to issue necessary instructions to the Sub-Registrar's Office, Bhavani, Erode, to permit registration of properties comprised in Old.Nos.887/A and B and 888/A and B (New Survey Nos.769/1 to 13 and 768/1 to 14) of the extent of 6.89 acres and 1.06.5 hectares and 1.72.5 hectares situate at Bhavani Village, Bhavani Taluk, Erode District.

5.The learned counsel for the respondent would also refer to the Resolution dated 21.12.2023, which preceded the communication to the Inspector General of Registration, where also, the Board has passed a Resolution to permit registrations in respect of the above survey numbers. According to the learned counsel for the respondent, this would now therefore suffice to protect the interest of the writ petitioner, in the event of the Sub-Registrar objecting to any registration. It is open to the petitioner to cite this order, without waiting for deletion of the name in the Proforma Report, which according to the learned counsel for the respondent, requires further time, as the Board is yet to be constituted.



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6. In the light of the above, the Writ Petition is disposed of in the manner following:

(i) It is clarified that the properties comprised in Old.Nos.887/A and B and 888/A and B (New Survey Nos.769/1 to 13 and 768/1 to 14) do not belong to Nalla Muthampallayam Moulla Khazi Personal Khairathi Inam, Bhavani, Erode District, (G.S.No.75/CBE) and consequently, there is no impediment for the respective property owners who own lands in these survey numbers, to deal with the properties belonging to them.

(ii) The Sub-Registrar, Bhavani, Erode, shall entertain registrations, pertaining to the above subject lands, as and when presented.

(iii) The respondent shall ensure that necessary corrections are carried out in the Proforma Report, within a period of three months from the date of constitution of the Board. No costs.

04-11-2025

Speaking Order/Non-speaking order

Index: Yes/No

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Note: Registry is directed to mark a copy of this order to the Inspector General of Registration, Bhavani, Erode.



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To

The District Revenue Officer,
Chief Executive Officer,
Tamil Nadu Waqf Board,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai – 600 001.



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P.B. BALAJI.J.,

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