



W.P.No.16437 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED :30.04.2025

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Writ Petition No.16437 of 2025
& W.M.P.No.18569 & 18571 of 2025

Janab T.Jeelani, M/52.
S/o.Late.S.M.Thameem Maraikayar,
President Syed Ameenudin Shah,
Aulia Chisti Tomb,
Old Bus Stand, Vellore Town,
Vellore District.

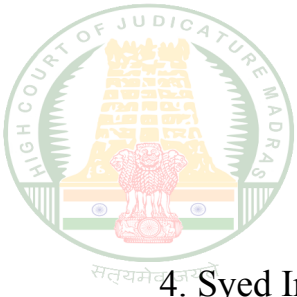
... Petitioner

/versus/

1. Tamil Nadu Waqf Board,
Rep By its Chairman,
No.1, Jaffar Syrang Road,
Vallal Seethakathi Nagar,
Chennai-600 001.

2. The Chief Executive Officer,
Tamilnadu Waqf Board,
No.1, Jaffar Syrang Road,
Vallal Seethakathi Nagar,
Chennai-600 001.

3. The Inspector of Waqf,
Tamilnadu Waqf Board,
Office Of The Superintendent Of Waqf,
No.8, Bahadur Shah Mosque Complex,
Sainathapuram-632 001,
Vellore District.



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4. Syed Imdad Ali
S/o.Syed Azeemuddia Hussaini,
No.8-A,Umar Street,
Sirukadambur,
Gingee, Pin Code-604 202.
Villupuram District.

... Respondents

Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the entire records of the proceedings of the 2nd respondent bearing Se.Mu.Aanai 8563/2024/A7/Ve dated 11.04.2025, in pursuance of the resolution dated 23.01.2025 passed by the 1st respondent bearing Item No.186/24 in Na.Ka.No.8563/2024/B7/V, quash the same.

For Petitioner : Mr.N.Senthil Kumar.

For Respondents : Mr.Abdul Mubeen,
(Waqf Board), for R1 to R3

ORDER

The writ petition is filed challenging the impugned order dated 11.04.2025.

2. The grievance of the petitioner is that the petitioner made an application to recognise himself as the Hereditary Muthavali of the Waqf known as “*Syed Ameenuddin Shah Aulia Chisti Tomb*” in Ward III, Door



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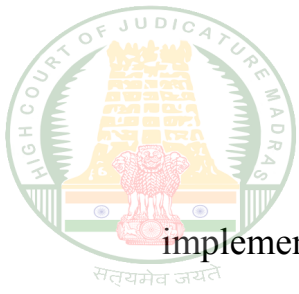
No.nil, in T.S.No.319/2B of North Vellore Village, Vellore Town.

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3. The petitioner claim is that he is the President of the Trust Board. When the rival claim was made by the 4th respondent, now an enquiry was conducted before the Wakf Board and resolution was passed on 23/01/2025, now the consequential order is passed and the same is challenged before this Court.

4. The Learned Counsel for the petitioner would submit that the impugned order violates the principles of natural justice as no details reasonings are contained in it. The petitioner submitted detail objection with reference to the date of the title deed and the particulars contained therein, none of it is neither dealt with or contained in the impugned order, therefore, the petitioner has directly approached this Court.

5. Per contra, Mr.Abdul Mubeen, Learned Counsel taking notice on behalf Wakf Board would submit that when the petitioner and the 4th respondent made rival claim, the same was enquired into and resolution has been passed by the Wakf Board. The detailed resolution would contain the reasons therein on which the decision was taken. The impugned order merely



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implements the resolution and therefore, need not contain all the reasons.

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6. I have considered the rival submissions made on either side and perused the material records of the case.

7. The petitioner will be entitled to approach the Tribunal under Section 83 of the Wakf Act 1995 as against the impugned decision. The only contention that is made is the violation of the principles of natural justice. When it is submitted that the detailed reasons are will be mentioned only in the resolution that is passed, a copy of the resolution shall also be furnished to the petitioner. The petitioner will be entitled to approach the Tribunal by way of filing of an appeal as against the said resolution as well as this consequential order. The Learned Counsel submits that in the meanwhile this Court should grant protection. The petitioner will also be entitled to move such application for interim prayer before the Tribunal, the Tribunal will also consider the same in its own merits. The 1st respondent shall furnish the copy of the resolution within one week from the date of receipt of web copy of the order without waiting for the certified copy of the order. Within 30 days therefrom, the petitioner will be entitled to move the Tribunal for his grievance.



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8. The writ petition is disposed of accordingly. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

30.04.2025

Neutral citation :No.
bsm

To,

1. The Chairman,
Tamil Nadu Waqf Board,
No.1, Jaffar Syrang Road,
Vallal Seethakathi Nagar,
Chennai-600 001.

2. The Chief Executive Officer,
Tamilnadu Waqf Board,
No.1, Jaffar Syrang Road,
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3. The Inspector of Waqf,
Tamilnadu Waqf Board,
Office of The Superintendent Of Waqf,
No.8, Bahadur Shah Mosque Complex,
Sainathapuram-632 001,
Vellore District.

4. The Government Pleader, High Court, Madras.



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D.BHARATHA CHAKRAVARTHY, J.

bsm

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