



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-06-2025

WEB COPY

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 21242 of 2025

and

WMP Nos.23998 & 24000 of 2025

K.G.Gani

Petitioner(s)

Vs

1.Tamil Nadu Wakf Board
Rep By Its Chief Executive Officer
No.1, Jaffar Sarang Street,
Valallal Seethakathi Nagar,
Chennai- 600 001.

2.The Chief Executive Officer
Tamil Nadu Wakf Board
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai-01.

3.The Muthawalli
Nellikuppam Sholavalli Chinnatheru
Mosque, Moulana Abdul Kareem
Street, Nellikuppam-607 105.



Respondent(s)

WEB PRAYER

Calling for records of the 1st respondent dated 22.01.2025 ending with Na.Ka. No.610/18/Aa10/Cudda in Serial No.38, Item No.234/24 and quash the same and consequently directing the respondents 1 and 2 to constitute a managing committee to the Khutbapalli Jumma Pallivasal by convening a general body meeting of its chandadars as per its custom and usage.

For Petitioner(s): Mr.I.Kowser Nissar

For Respondent(s): Mr.R.Abdul Mubeen Standing
Counsel For R1 & R2

ORDER

This writ petition has been filed challenging the resolution passed by the 1st respondent dated 22.01.2025 and seeking a consequential direction to the respondents 1 and 2 to constitute a managing committee for the Khutbapalli Jumma Pallivasal by convening a general body meeting of its chandadars as per its custom and usage.

2. Heard Mr.I.Kowser Nissar, learned counsel for the petitioner and Mr.R.Abdul Mubeen, learned Standing Counsel appearing on behalf of the



respondents 1 and 2.

WEB COPY

3. It is seen from the records that the resolution has been passed by the 1st respondent and it has been placed before the Chief Executive Officer (CEO), who is the 2nd respondent in the writ petition.

4. The learned Standing Counsel appearing on behalf of the Wakf Board submitted that the Chief Executive Officer is yet to take a decision on the resolution that has been passed.

5. On going through the scheme of the Wakf Act, 1995, it is seen that Section 26 deals with powers of the Chief Executive Officer in respect of the resolutions of the Board. The said provision enables the Chief Executive Officer to consider such a resolution passed and see if such resolution can result in any of the contingencies provided from Clause (a) to Clause (c).

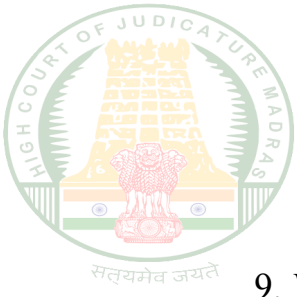
6. In such an event, before implementing the resolution, the matter can be



placed before the Board for reconsideration. If the resolution is not confirmed by the majority of the members present and voting after such reconsideration, the Chief Executive Officer can refer the matter to the State Government along with his objections to the resolution, and the decision of the State Government thereon shall be final.

7. It is clear from the above that the resolution by itself does not carry any effect unless and until it is confirmed by the Chief Executive Officer. Only when the Chief Executive Officer gives his confirmation does the resolution passed by the 1st respondent gain necessary force.

8. The learned Standing Counsel appearing on behalf of the Wakf Board made a specific submission that the Chief Executive Officer is yet to confirm the resolution passed. That being so, the present writ petition is premature. Ultimately, if the Chief Executive Officer takes a decision and the petitioner is aggrieved by the same, it is left open to the petitioner to workout his remedy in the manner known to law.



WEB COPY

9. With the above observations, this Writ Petition stands disposed of. No costs. Consequently, the connected Miscellaneous Petitions are closed.

19-06-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

Jeni

To

1. Tamil Nadu Wakf Board

Rep By Its Chief Executive Officer

No.1, Jaffar Sarang Street, Valallal

Seethakathi Nagar, Chennai-01.

2. The Chief Executive Officer

Tamil Nadu Wakf Board No.1, Jaffar

Sarang Street, Valallal Seethakathi

Nagar, Chennai-01.



WEB COPY

WP No. 21242 of 2025



N.ANAND VENKATESH J.

Jeni

WP No. 21242 of 2025

19-06-2025