



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 17-06-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 25402 of 2021

1. R.Hassan Ali Akbar
S/o. U. Md. Rahamathullah

Petitioner(s)

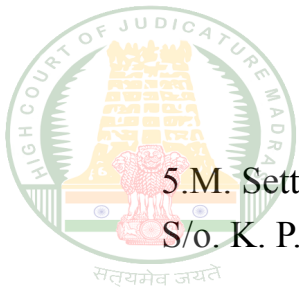
Vs

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

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

3.Rahimunissa Begum
W/o. M. K. Basheed Ahmed

4.Balaji
S/o. V. Ranganathan



5.M. Settu

S/o. K. P. Mannar, Arcot.

Respondent(s)

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PRAYER

Directing the respondents 1 and 2 to consider and pass order on the representation dated 20.10.2021 made by the petitioner to recover the wakf properties under Sections 51, 52, 56 and initiate action under section 52A of the Wakf Act against the respondents 3 to 5.

For Petitioner(s): Mr.N.A.Nissar Ahmed

For Respondent(s): Mr.R.Rajarajan for R4

ORDER

This writ petition has been filed for issuance of writ of mandamus directing the 1st and 2nd respondent to consider the representation made by the petitioner on 20.10.2021 where the petitioner is seeking to recover all Wakf properties and to take action against the respondents 3 to 5.

2. When the matter was taken up for hearing today, the learned Standing Counsel appearing on behalf of the Wakf Board produced the order passed by the Division Bench of this Court in W.P. No. 25242 of 2022. That was also a writ petition filed by the petitioner to initiate action against some of the private respondents by demolishing unauthorized construction on the ground that the property belongs to the Wakf. This Court disposed of the matter by an order dated 24.06.2024, and the relevant portions are extracted hereunder,



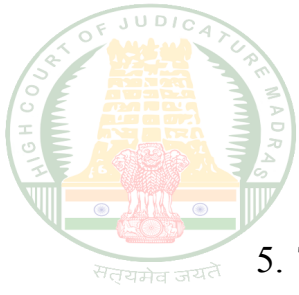
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“18.It is in the said circumstances, this Court is inclined to pass the following order: The prayer for taking action against the respondents 4 and 5 for the unauthorized construction cannot be countenanced and hence the writ petition is dismissed. No costs. However, it is open to the petitioner or the Wakf Board to take/initiate appropriate action for removal or recovery of possession either by invoking the provisions of the Tamil Nadu Public Premises (Eviction of Unauthorised Occupants) Act, 1975 or under the Wakf Act as applicable.”

3. Learned Standing Counsel appearing for the Wakf Board submitted that pursuant to the above order, the representation made by the petitioner will be considered and that the enquiry has been fixed next week.

4. In light of the above development, it will suffice if a direction is issued to the Wakf Board to act upon the representation made by the petitioner and also take into consideration the earlier order passed in W.P. No. 25242 of 2022 and take a decision within a period of three months from the date of receipt of a copy of this order.



5. This writ petition is disposed of with the above directions. No costs.

Consequently, the connected miscellaneous petitions, if any, are closed.

17-06-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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nagar, Chennai - 1.

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Syrang Street, Vallal Seethakathi nagar,
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N.ANAND VENKATESH J.

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