



W.P.No.33256 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.09.2025

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C O R A M

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.33256 of 2025

and

W.M.P.Nos.37387, 37389 & 37390 of 2025

Mr.Wajid Ali Namazi

... Petitioner

Vs

1.The Chairman,
The Tamil Nadu Waqf Board,
No.1, Jaffer Syrang Street, Chennai-600 001.

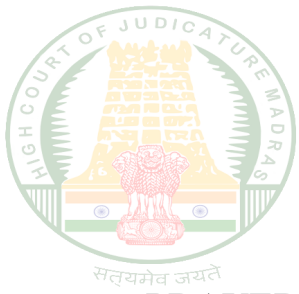
2.Tamil Nadu Waqf Board,
Represented by its Chief Executive Officer,
No.1, Jaffer Syrang Street, Chennai-600 001.

3.The Chief Administrative Officer,
The Tamil Nadu Waqf Board,
No.1, Jaffer Syrang Street, Chennai-600 001.

4.Executive Officer,
Direct Management of Waqfs, Chennai and Poonamallee,
The Tamil Nadu Waqf Board,
No.1, Jaffer Syrang Street, Chennai-600 001.

5.M/s.M.A.Namazie Endowment,
rep. By its Executive Officer,
No.148/224, Angappa Naicken Street,
Chennai-600001, Tamil Nadu.

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records on the file of the 1st respondents in RC.No.14859/15/B6/CHN in G.O.Ms.No.28 published on 16.07.2025 approved by the 3rd respondent and to quash the same forthwith.

For Petitioners : Mr.A.J.Thaslim Arif

For Respondents : Mr.T.Saikrishnan,
For R-1 & R-4.

ORDER

Challenging the Gazette notification in G.O.Ms.No.28 dated 16.07.2025 issued by the 1st respondent taking over the management of the 5th respondent endowment under the direct control of the 4th respondent, the present Writ Petition has been filed.

2. Mr.T.Saikrishnan, learned counsel takes notice on behalf of respondents 1 to 4. As no adverse order is being passed as against the 5th respondent, notice to the 5th respondent is dispensed with.

3. It is the case of the petitioner that he was appointed as a Muthawalli of the 5th respondent endowment along with two other persons vide order dated 21.02.2024 issued by the 2nd respondent for a period of three years from i.e.,

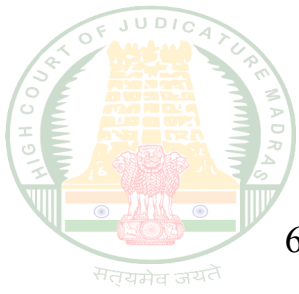


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13.02.2024 to 12.02.2027. While so, the 1st respondent had passed a resolution dated 11.07.2025 taking over the management of the 5th respondent under the direct control of the 4th respondent and the said resolution having been approved by the 3rd respondent without any due intimation to the petitioner, the impugned of Gazette notification in G.O.Ms.No.28 dated 16.07.2025 has come to be passed by the 1st respondent. Aggrieved with which, the petitioner has come up with the present Writ Petition.

4. The learned counsel for the petitioner submitted that the impugned order passed by the 1st respondent is non-est in law since the petitioner was not given the opportunity of hearing while passing the said order to putforth his explanation/objections which is in violation of principles of natural justice. Hence, for the said reason, the impugned order passed by the 1st respondent suffers from error and therefore, the same is liable to be set aside.

5. The learned counsel for respondents 1 to 4 submitted that as against the order impugned in this petition, there is an effective remedy available before the Wakf Tribunal. Instead of resorting to said remedy, filing of Writ Petition before this Court seeking to set aside the impugned order is not sustainable. If at all there is any grievance, the petitioner has to approach the Wakf Tribunal by way of appropriate application.



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6. This Court heard the learned counsel appearing on either side and

perused the materials available on record.

7. Though this Writ Petition has been filed seeking a larger relief, in view of the effective remedy available for the petitioner before the Wakf Tribunal as against the order impugned herein, without exhausting such remedy, the petitioner has approached this Court at the very first instance and for the said reason, this Writ Petition is not maintainable. In such view of the matter, this Court without interfering with the impugned order, grants liberty to the petitioner to work out the remedy by filing appropriate application before the Wakf Tribunal.

8. This Writ Petition stands disposed of in the above terms. No Costs. Consequently, the connected Miscellaneous Petitions are closed.

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Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation Case : Yes / No

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The Tamil Nadu Waqf Board,
No.1, Jaffer Syrang Street,
Chennai-600 001.

2. Chief Executive Officer,
Tamil Nadu Waqf Board,
No.1, Jaffer Syrang Street,
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