



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-09-2025

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THE HONOURABLE MR JUSTICE M.DHANDAPANI

WP No. 35034 of 2025

and WMP Nos. 39193 & 39192 OF 2025

Nawab C. Abdul Hakeem Educational
Trust,
Rep. By Its President S.Ziauddin
Ahmed, No.281, Triplicane High Road,
Chennai-600 005.

Petitioner(s)

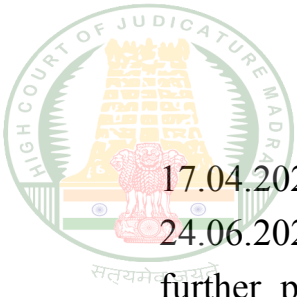
Vs

1. The Tamil Nadu Wakf Board
Rep. By Its Chairman, Having Office
At No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar, Rajaji Salai,
Chennai-600 001.

2.The Chief Executive Officer
The Tamil Nadu Wakf Board, Having
Office At No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar, Rajaji Salai,
Chennai-600 001.

Respondent(s)

This writ petition is filed under Article 226 of Constitution of India, to issue a writ of Certiorarified Mandamus, to call for the records of the 1st respondent passed in resolution No.146/25 Na.Ka. No.66/24/ Aa6/ Chennai dated



17.04.2025 and the consequential order of the 2nd respondent passed on 24.06.2025 bearing Na.Ka. No.66/24/Aa6 / Chennai and quash the same and further prohibit the 1st and 2nd respondent for invoking the provisions of Unified Wakf Management, Empowerment, Efficiency and Development Act 1995 (Act 14/2025 in respect of the petitioner Trust.

For Petitioner(s): Mr. Zaffarullah Khan
For Respondent: Mr.Avinash Wadhwani

ORDER

This petition has been filed seeking to quash the impugned order passed by the 1st respondent in resolution No.146/25 Na.Ka. No.66/24/ Aa6/ Chennai dated 17.04.2025 and the consequential order of the 2nd respondent passed on 24.06.2025 bearing Na.Ka. No.66/24/Aa6 / Chennai and further prohibit the 1st and 2nd respondent for invoking the provisions of Unified Wakf Management, Empowerment, Efficiency and Development Act 1995 (Act 14/2025 in respect of the petitioner Trust.

2. It is the case of the petitioner that the petitioner is the Trust was established in the year 1924 by Nawab C.Abdul Hakeem sahib donating various properties for promotion of secular education in addition thereto to impart religious education to Muslim students. Without jurisdiction, the second respondent sent a notice to the petitioner Trust called for the particulars in respect of the functioning of petitioner Trust and submission of accounts and



also to pay the balance contribution within a period of one month.

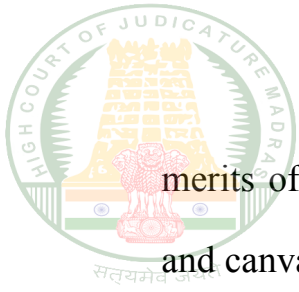
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3. The learned counsel for the petitioner submitted that the petitioner is a registered Trust and the respondents 1 & 2 does not have the authority to conduct any enquiry to determine whether any society or Trust is a wakf due to the omission of Section 40 of the Wakf Act, 1995. In the absence of any power available, the respondents issued notice to the petitioner is not sustainable and the same is liable to be quashed.

4. Heard the learned counsel for the petitioner as well as the learned Standing Counsel appearing for the respondents and perused the materials available on record.

6. This Court perused the entire records. On perusal of the same, it is made clear that the claim made by the petitioner is disputed question of fact, which cannot be decided by this Court under Article 226 of the Constitution of India and the same has to be decided only by the competent civil forum. The petitioner has to approach the civil Court. Without doing so, filing the present petition is not sustainable and therefore, this Court is not inclined to interfere with the impugned notice.

7. In view of the above, this Court, without rendering any opinion on the



merits of the case, permits the petitioner to approach the competent Civil Court and canvass all the points before the said Court.

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8. In the result, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are also closed.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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