



W.P.No.38479 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2025

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.38479 of 2025
and
W.M.P.Nos.42998 & 42999 of 2025

K.M.Asan Sheik

... Petitioner

Vs.

1.The Tamilnadu Waqf Board,
Rep. by its Chief Executive Officer,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai – 600 001.

2.The Chairman,
Tamil Nadu Waqf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai – 600 001.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, to call for the records of the impugned order Ref.N.K.No.10950/10/A1/Tirunelveli, dated 24.06.2025 passed by the 2nd respondent and quash the same as illegal and arbitrary and thereby directing the respondents to refund the advance amount of Rs.50,000/- with the petitioner incurred development charges a sum of Rs.15,00,000/-.



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For Petitioner : Mr.C.Kanagaraju
For Respondents : Mr.T.Sai Krishnan
Standing Counsel

ORDER

This Writ Petition has been filed by the petitioner seeking for a Writ of Certiorarified Mandamus, to call for the records of the impugned order Ref.N.K.No.10950/10/A1/Tirunelveli, dated 24.06.2025 passed by the 2nd respondent and quash the same as illegal and arbitrary and thereby, to direct the respondents to refund the advance amount of Rs.50,000/- with the petitioner incurred development charges a sum of Rs.15,00,000/- .

2. Mr.T.Sai Krishnan, learned Standing Counsel, accepts notice on behalf of the respondents. In view of the consent expressed by the learned counsel for the parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The case of the petitioner is that he has entered into an oral lease agreement with the Tamil Nadu Waqf Board in respect of the property at Papanasam Muslim Chathiram, Ambasamudram Taluk,



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Tirunelveli District, under Resolution No.131/10. In compliance with the terms of the oral lease agreement promised to him, he undertook extensive renovation and repair works including structural repairs, electrical rewiring and plumbing, incurring a documented expenditure of Rs.14,92,250/-. During the oral lease, he was subjected to continuous obstruction by V.K. Puram Jamaat. On 28.07.2025, he submitted a petition before the Tamil Nadu Waqf Board narrating the difficulties faced and seeking protection of his oral lease rights. Since the same was not considered, he made a representation before the Chief Secretary, Government of Tamil Nadu, seeking necessary intervention. On the same day, he had also filed a detailed appeal to the said authority objecting to the proposed cancellation of his oral lease and explaining his financial investment of about Rs.15 lakhs. Notwithstanding the above, the 2nd respondent had passed the impugned order dated 24.06.2025 whereby, the petitioner's oral lease was unilaterally cancelled and an interim committee was constituted to take over the subject property. Challenging the same, the petitioner has filed this writ petition before this Court.

4. The learned counsel for the petitioner submitted that for refund



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of amount and challenging the cancellation of petitioner's oral lease, the petitioner has already made a representation before the Chief Secretary, Government of Tamil Nadu on 28.07.2025. However, on instructions, he submitted that this Court may grant permission to the petitioner to make a fresh representation before the 1st respondent in the manner known to law and upon receipt of the same, the 1st respondent may be directed to consider the same and pass appropriate orders, within a time frame that may be fixed by this Court.

5. In view of the limited request sought by the learned counsel appearing for the petitioner, this Court, without interfering with the impugned order, grants liberty to the petitioner to make a fresh representation before the 1st respondent, within a period of two weeks from the date of receipt of a copy of this order. Upon receipt of the same, the 1st respondent is directed to consider the same and pass appropriate orders, on merits and in accordance with law, within a period of twelve weeks thereafter, after providing an opportunity of personal hearing to the petitioner and the aggrieved persons, if any.



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6. With the above liberty, this Writ Petition is disposed of. No

costs. Consequently, the connected miscellaneous petitions are closed.

14.10.2025

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation Case : Yes/No

sp

To

1.The Chief Executive Officer,
Tamilnadu Waqf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai – 600 001.

2.The Chairman,
Tamil Nadu Waqf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai – 600 001.



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M.DHANDAPANI, J.

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