



W.P. No.16441 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.16441 of 2025

and

W.M.P.Nos.18572, 18574 and 18575 of 2025

S.P.Mohammed Ali

... Petitioner

Vs.

1. The Inspector General of Registration,
Santhome High Road, Chennai.
2. The District Registrar,
Office of the District Registrar,
Cuddalore.
3. The Sub Registrar,
Chidambaram, Cuddalore District.
4. The Chief Executive Officer/Estate Officer,
Tamil Nadu Wakf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai 1.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for records of the 4th respondent 03.01.2022 in RC.786/2022/B6/Cudd in so far as the petitioner's



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property in S.Nos.94/2 measuring 0.11 cents, 94/4 measuring 1 acre (as per sub division 94/4A, 94/4B , 94/4C), 94/5B measuring 0.57 cents, S.No.93/2 measuring 2.18 acres and S.No.94/5A measuring 0.49 cents in all measuring 4.35, Pallipadai Village, Chidambaram, Cuddalore District and quash the same and consequently direct the 2nd respondent to register and release documents with respect to petitioner's property in S.Nos.94/2 measuring 0.11 cents, 94/4 measuring 1 acre (as per sub division 94/4A, 94/4B, 94/4C), 94/5B measuring 0.57 cents, S.No.93/2 measuring 2.18 acres and S.No.94/5A measuring 0.49 cents in all measuring 4.35, Pallipadai Village, Chidambaram, Cuddalore District without insisting for NOC from the 4th respondent.

For Petitioner(s) : Mr.M.Nuzhath Khanam

For R1 to R3 : Mr.Abishek Murthy
Government Advocate

For R4 : Mr.Avinesh Wadwani
Standing Counsel

ORDER

By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself.

2. The present writ petition is filed praying for a writ of certiorarified mandamus to quash the communication dated 03.01.2022, whereby a communication has been issued by the WAKF Board to the Inspector General of



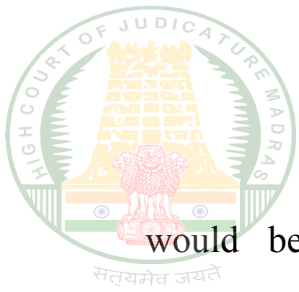
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Registration requesting not to register documents enumerated in the table

WEB enclosed to the said communication.

3. It is submitted by the learned counsel for the petitioner that the petitioner is aggrieved by the fact that the communication dated 03.01.2022 also includes Survey Nos.93 and 94, Pallipadai Village, Cuddalore District. The above survey comprises land to the extent of 9 acres. However according to the petitioner even in terms of the proforma of the WAKF it is only 5 cents that belongs to the WAKF and the rest belongs to private party viz., the petitioner herein. It is thus submitted that the above communication adversely affects the right of the petitioner as it includes property which are not even WAKF.

4. It is submitted by Mr.Avinash Wadwani, learned standing counsel appearing for the 4th respondent that the writ petition is premature inasmuch as no representation has in fact been made by the petitioner before the WAKF Board. If any such representation is made along with relevant documentary evidence to show that in respect of Survey Nos.93 and 94 of Chidambaram Palli Padai except for 5 cents the rest belongs to the petitioner, they will accordingly modify and issue a No Objection Certificate. It is further submitted by the learned standing counsel appearing for the 4th respondent that the entire exercise



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would be completed within 6 weeks from the date of submission of representation along with relevant documentary evidence by the petitioner, which was agreed to by the learned counsel for the petitioner.

5. In view there of, the writ petition stands disposed of. The petitioner may submit a representation along with relevant documentary evidence before the 4th respondent. If any such representation is made the 4th respondent is directed to consider the representation and take appropriate action within a period of 6 weeks from the date of receipt of such representation, after affording the petitioner a reasonable opportunity of hearing. It is made clear that this Court has not expressed any views with regard to the merits of the representation and it is open to the concerned respondent to consider the representation on its own merits and in accordance with law. No costs. Consequently, connected miscellaneous petitions are closed.

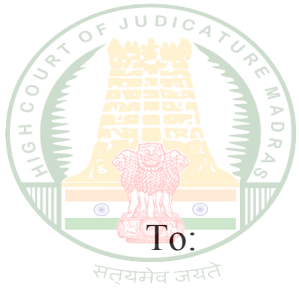
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Speaking (or) Non Speaking Order

Index : Yes/ No

Neutral Citation: Yes/No

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To:

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MOHAMMED SHAFFIQ, J.

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