



WEB COPY



W.P.No.38889 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2025

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.38889 of 2025
and
W.M.P.Nos.43525 & 43526 of 2025

M/s.Olimuhamed Pettai Lebbai Jumma Masjid,
(Sunnath Jamath)
Rep. by its Muthavalli,
Janab P.S.Jalal,
S/o.Shariff,
No.1, Roattu Street,
Olimuhamad pettai,
Kancheepuram – 631 502. ... Petitioner

Vs.

1.The Government of Tamil Nadu,
Rep. by its Secretary,
Department of Backward and Most Backward Classes,
Fort St. George,
Chennai – 600 009.

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

3.The Chief Executive Officer,
Tamil Nadu Waqf Board,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar,



W.P.No.38889 of 2025

Chennai – 600 001.

4.The District Revenue Officer/Administrative Officer,
Tamil Nadu Waqf Board,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai – 600 001.

5.Superintendent of Wakfs,
Perriya Pallivasal Valagam (Complex),
Poonamallee,
Chennai – 600 056.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order issued by the 3rd respondent in proceeding vide Na.Ka.No.77/Ne/A2/2025/Kanchi, dated 08.10.2025 issued to the petitioner and quash the same as illegal, unconstitutional and unreasonable and consequently, forbearing the respondents from taking any further action pursuant to the impugned notice dated 08.10.2025 vide Na.Ka.No.77/Ne/A2/2025/Kanchi.

For Petitioner : Mr.G.V.Sridharan

For Respondents : Ms.P.Aishwarya
Government Advocate [R1]
Mr.R.Abdul Mubeen [R2 to R5]

ORDER

This Writ Petition has been filed by the petitioner seeking a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order issued by the 1st respondent in proceeding vide Na.Ka.No.77/Ne/A2/2025/Kanchi, dated 08.10.2025 issued to the



W.P.No.38889 of 2025

petitioner and quash the same as illegal, unconstitutional and unreasonable and consequently, to forbear the respondents from taking any further action pursuant to the impugned notice dated 08.10.2025 vide Na.Ka.No.77/Ne/A2/2025/Kanchi.

2. Ms.P.Aishwarya, learned Government Advocate, accepts notice on behalf of the 1st respondent and Mr.R.Abdul Mubeen, learned counsel, accepts notice on behalf of the respondents 2 to 5. In view of the consent expressed by the parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The petitioner-Olimuhamed Pettai Lebbai Jumma Masjid is duly registered under the provisions of the Wakf At, 1954 and the affairs of the Masjid has been administered by the elected Mutawallies and office bearers through regular election conducted among the members of the Labbai community. The last term of administration ended on 31.03.2025 and a fresh election was duly conducted on 11.04.2025 for the new term i.e., from 01.04.2025 to 31.03.2028. On 18.07.2025, the election details were duly submitted to the 3rd respondent, who accepted the same without objection and the Masjid also submitted its audited



W.P.No.38889 of 2025

financial statements for the year 2024 – 2025 along with a payment of Rs.1,67,780/- towards assistance contribution to the Board on 31.07.2025.

Subsequently, one A.Nayim lodged a false and vexatious complaint on 17.02.2025 alleging mismanagement and seeking Board intervention. Though the 3rd respondent issued summonses, no proper enquiry was conducted and the proceedings were evasive and incomplete. All of a sudden, on 09.10.2025, the 2nd respondent has served a copy of the impugned proceedings dated 08.10.2025, directing the petitioner to hand over all records and documents on 13.10.2025. Challenging the same, the petitioner has filed this writ petition before this Court.

4. Though very many grounds have been raised in this writ petition, learned counsel appearing for the petitioner submits that, as against the impugned order passed by the 1st respondent, there is an effective appeal remedy available under Section 65(2) of the Wakf Act before the Government. Hence, he prays that, this Court may grant the above liberty to the petitioner.

5. In view of the above submissions made by the learned counsel



W.P.No.38889 of 2025

appearing for the petitioner, this Court, without interfering with the impugned order, grants liberty to the petitioner to approach the appellate authority to workout the remedy in the manner known to law, if the limitation period has not expired.

6. With the above liberty, this Writ Petition is dismissed. 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 Secretary,
Department of Backward and Most Backward Classes,
Fort St. George,
Chennai – 600 009.

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



WEB COPY



W.P.No.38889 of 2025

M.DHANDAPANI, J.

sp

- 3.The Chief Executive Officer,
Tamil Nadu Waqf Board,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai – 600 001.
- 4.The District Revenue Officer/Administrative Officer,
Tamil Nadu Waqf Board,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai – 600 001.
- 5.The Superintendent of Wakfs,
Perriya Pallivasal Valagam (Complex),
Poonamallee,
Chennai – 600 056.

W.P.No.38889 of 2025

14.10.2025