



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.11.2025

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

W.P. No.44019 of 2025

President,
The Ameerunnisa Begum Sahiba Endowment,
No.165/76, Bharathi Salai,
Triplicane, Chennai – 600 005

Petitioner

Vs

- 1.The Tamil Nadu Wakf Board,
Rep by its Chief Executive Officer,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar, Chennai -1.
- 2.The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar, Chennai-1.
- 3.Masjid-E-Saidia & Madrasa-E-Gousia,
No.36, Maroof Sahib Street, Anna Salai,
Chennai- 600 002.

Respondents

PRAYER: This petition is filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents 1 and 2



to cancel the registration of 3rd respondent in the Register of Wakfs as the properties viz., R.S. No.211, 228/1 & 2 and 214 of Triplicane and Door No.77, Thahir Sahib Lane shown to be belonging to the 3rd respondent are already attached to the petitioner wakf by invoking Section 41 of the Unified Wakf Management, Empowerment, Efficiency and Development Act, 1995.

For Petitioner : Mr.N.A.Nassir Hussain

For Respondents : Mr.T.Sai Krishnan for R1 & R2
Mrs.A.Ajimath Begum for R3

ORDER

The petitioner has filed a Writ of Mandamus seeking a direction to the respondents 1 and 2 to cancel the registration of 3rd respondent in the Register of Wakfs as the properties viz., R.S. No.211, 228/1 & 2 and 214 of Triplicane and Door No.77, Thahir Sahib Lane shown to be belonging to the 3rd respondent are already attached to the petitioner wakf by invoking Section 41 of the Unified Wakf Management, Empowerment, Efficiency and Development Act, 1995, which according to the petitioner is shown to be belonging to the purchasers.



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2. Mr.N.A.Nassir Hussain, learned counsel for the petitioner would submit that the properties are already forming part of the proforma, listing out the properties belonging to the petitioner/Waqf and whileso, the respondents 1 and 2 have even granted registration to the third respondent, which is not permissible in the eye of law. The learned counsel for the petitioner would rely on the decision of this Court in *the Masjid-e-Mamoor Committee Vs. Hasan Moulana Dargah and others*, reported in 2024 (3) LW 745, where this Court has held that there cannot be a Waqf within the existing Waqf and the recognition given in the Waqf Tribunal was set aside by this Court.

3. The learned counsel for the respondents 1 and 2 would submit that since the Board has not been constituted and some reasonable time may be granted to the respondents to dispose of the petitioner's representation which has been given on 15.09.2025.

4. The learned counsel for the third respondent submits that there is no error committed by the first and second respondents in registering the



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third respondent in the proforma. However, the petitioner only seeks for representation dated 15.09.2025 to be considered on merits and in accordance with law.

5. Even though the prayer is seeking for a direction to cancel registration of the third respondent in the light of the representation dated 15.09.2025, I am inclined to direct the second respondent to conduct due enquiry and dispose of the representation after giving an opportunity to both the petitioner as well as the third respondent within a period of eight (8) weeks from the date of receipt of the copy of the order.

6. Accordingly, this Writ Petition is disposed of with the above directions. No costs.

25.11.2025

rkp

Index: Yes/No
Internet: Yes/No

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To

- 1.The Chief Executive Officer,
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Vallal Seethakathi Nagar, Chennai -1.
- 2.The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar, Chennai-1.
- 3.Masjid-E-Saidia & Madrasa-E-Gousia,
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P.B.BALAJI.J.,

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