



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31-10-2025

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

WP No. 41644 of 2025

AND

WMP Nos. 46672 & 46673 of 2025

Muhammad Mujeebur Rahman
S/o.Abdul Rahman,
Executive Mutawalli / Family Trustee, Fazeelathunissa
Begum Sahiba Mosque and Endowment,
796, Old No.419, Anna Salai, Nandanam, Chennai-35.

Petitioner(s)

Vs

The Chief Executive Officer
Tamil Nadu Wakf Board,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar, Chennai-1.

Respondent(s)

PRAYER: Writ Petition filed under Article 226 of Constitution of India, for issuance of Writ of Certiorari, calling for records of the respondent dated 25.10.2025 in Rc No.13499/06/B6/Chen and quash the same.



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For Petitioner: Mr.N.A.Nassir Hussain

For Respondent: Mr.Abdul Mubeen

ORDER

Heard Mr.N.A.Nassir Hussain, learned counsel for the petitioner and Mr.R.Abdul Mubeen, learned counsel for the respondent.

2. The petitioner challenges the impugned notice dated 25.10.2025, which has called upon the petitioner to appear before the Chief Executive Officer/Regional Deputy Commissioner (South), Greater Chennai Corporation Zone-13(South) on 31.10.2025 at 4.30 p.m., along with the relevant records in respect of a complaint petition received, regarding mismanagement from one Janab.N.Ayub Khan making allegations against the petitioner.

3. Mr.N.A.Nassir Hussain, learned counsel for the petitioner, inviting my attention to the earlier writ proceedings, would submit that this Court has directed the Tamil Nadu Wakf Board to take appropriate action in the matter, after giving opportunity to the parties concerned. He would further state that



without adhering to the direction of this Court in W.P.No.18329 of 2025, the Chief Executive Officer (CEO) has exceeded the power of the Board and called for certain documents from the petitioner, at the instance of the third party namely, Janab.N.Ayub Khan.

4. Mr.N.A.Nassir Hussain, learned counsel for the petitioner further state the respondent/CEO is also refusing to permit legal assistance to the petitioner.

5. Mr.Abdul Mubeen, learned counsel for the respondent would submit that the respondent/CEO has only called for records and is proposing to conduct an enquiry, in order to *prima facie* find out the truth in the allegations made by Janab.N.Ayub Khan, tracing powers under Sections 25 and 29 of the Waqf Act, 1995. He would further submit that the respondent/CEO is well within his powers to issue a notice and there is no impediment for the enquiry to be proceeded with. Insofar as the denial of Legal Assistance, Mr.Abdul Mubeen, learned counsel for the respondent, would state that the petitioner cannot be disentitled to take assistance of the lawyer and as the hearing is posted today i.e.,



on 31.10.2025 at 4.30 p.m., the learned counsel for the respondent would state that he would advise the CEO to fix a date for production of records and appearance of the petitioner and also permit legal assistance for the petitioner.

6. In the light of the above, this writ petition is disposed of, directing the petitioner to appear before the respondent/CEO today i.e., on 31.10.2025 at 4.30 p.m., as stated in the impugned notice dated 25.10.2025. On appearance of the petitioner, the respondent shall fix a date to enable the petitioner to attend the enquiry along with necessary documents and also take the assistance of the counsel. After holding enquiry and also keeping in mind, the directions issued by this Court in W.P.No.18239 of 2025, further orders shall be passed on merits and in accordance with law. No costs. Consequently, connected Miscellaneous Petitions are closed.

31-10-2025

Jd

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To
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The Chief Executive Officer
Tamil Nadu Wakf Board,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar, Chennai-1.



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P.B.BALAJI J.

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