



WEB COPY

WP No. 49443 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-12-2025

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP No. 49443 of 2025

and

W.M.P.Nos.55235, 55237 & 55238 of 2025

S.Chandira

Petitioner

Vs

1. The District Collector,
Collectorate, Vengikkal,
Tiruvannamalai-606 604.

2.The Tamil Nadu Waqf Board,
Represented by the Chief Executive Officer,
No.1, Jaffer Syrang Street,
Vallal Seethakathy Nagar,
Chennai - 600 003.

3.Nawab Chanda Miyan Masjid and
Mir Momin Madad Tomb Wakf,
Rep. by its Muthawalli,
No.77, Mathalakula Street,
Thiruvannamalai District.

Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorarified Mandamus, to call for the records of the impugned notice in Na.Ka.M2/44168/2009, dated 19.11.2024 issued by the first respondent and quash the same as illegal, non-est and arbitrary in law and consequently, forbear the first to third respondents from interfering with the petitioner's property in Plot Nos.1 to 19, 43 in RS city, Inamvelakandai Village, Thuringapuram Block, Thiruvannamalai Taluk, Thiruvannamalai District except



in accordance with law.

For Petitioner: Mr.M.Nandhakumar
for Mr.Eswar Kumar and Rao
For Respondent: Mr.S.Senthil Murugan
Special Government Pleader for R1
Mr.Avinash Wadwani for R2 & R3

ORDER

This writ petition is filed challenging the impugned notice dated 19.11.2024 in Na.Ka.M2/44168/2009 issued by the first respondent and to quash the same and consequently, forbear the first to third respondents from interfering with the petitioner's property in Plot Nos.1 to 19 and 43 in RS city, Inamvelakandai Village, Thuringapuram Block, Thiruvannamalai Taluk, Thiruvannamalai District except in accordance with law.

2. Upon hearing the learned counsel appearing for the petitioner and perusing the affidavit filed in support of the writ petition and the records, the grievance of the petitioner is that the petitioner claims title in respect of the above mentioned properties. It is her claim that the property originally belonged to her husband and thereafter it was settled in her favour and she is enjoying the property as her own. The Waqf does not have any right, title or interest over the property.



3. Per contra, the learned counsel appearing on behalf of the Waqf Board as well as the learned Special Government Pleader appearing on behalf of the first respondent would submit that the impugned order is passed pursuant to the directions given in the earlier Writ Petition No.14904 of 2025, in which the writ petitioner was also arrayed as the third respondent. Therefore, when further proceedings under Section 52 are being taken, the petitioner cannot now approach this Court. Even if the petitioner is disputing the title, it is for the petitioner to approach the Waqf Tribunal in that regard.

4. I have considered the rival submissions made on either side and perused the material records of the case.

5. It can be seen that the earlier order in Writ Petition No.14904 of 2025 was passed at the admission stage and though the petitioner was the third respondent, notice was not issued in view of the nature of the order passed at the admission stage itself. In any event, the first respondent was directed to consider the earlier proceedings dated 13.10.2014 passed in W.P.No.14904 of 2025 and in the light of the earlier order that is passed in the Writ Petition No.12161 of 2012 and Contempt Petition No.1807 of 2014, the first respondent was directed to take further steps in accordance with law. Therefore, further steps are being taken by way of the present impugned order.



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6. The learned counsel for the petitioner submits that even in these proceedings, the petitioner was not heard and that the petitioner has valid title over the property.

7. In this regard, it is open to the petitioner to approach the Waqf Tribunal to ventilate her grievances and keeping the said liberty open to the petitioner to seek appropriate relief and since the Waqf Tribunal is also entitled to consider any interim relief prayed for by the petitioner in accordance with law, the writ petition stands *disposed of*. No costs. Consequently, connected miscellaneous petitions are closed.

17-12-2025

Neutral Citation: Yes/No
nsl

To

1. The District Collector,
Collectorate, Vengikkal,
Tiruvannamalai-606 604.

2. The Chief Executive Officer,
The Tamil Nadu Waqf Board,
No.1, Jaffer Syrang Street,
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D.BHARATHA CHAKRAVARTHY J.

ns1

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