



W.P(MD)No.17350 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.06.2025

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD)No.17350 of 2025

M.R.Abubacker

... Petitioner

Vs.

1.The Tamil Nadu Wakf Board,
Rep.by its Chairman,
No.1, Jafar Jarang Street,
Vallal Seethakadi Nagar,
Chennai.

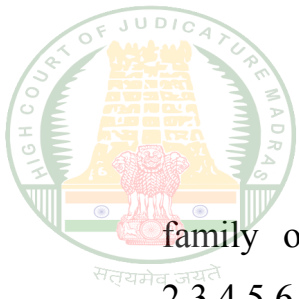
2.The Chief Executive Officer,
Wakf Board,
No.1, Jafar Jarang Street,
Vallal Seethakadi Nagar,
Chennai.

3.The Superintendent of Wakf,
Wakf Board,
S.N.High Road,
Tirunelveli.

4.The Inspector,
Wakf Board,
Tirunelveli.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to recover the petitioner's land by surveying the lands occupied by the Ahthar's



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family of the Wakf which situated in Survey No.545 to 552, T.SNo. 2,3,4,5,6,10,11 to an extent of 27 acres situated at Kandiaperi - II village, Tirunelveli belongs to the Farusullasha Pakeer Taika Wakf based on the petitioner's representation dated 11.04.2025.

For Petitioner : Mr.T.Selvan

For Respondents : Mr.D.S.Haroon Rasheed
Standing Counsel

ORDER

This writ petition has been filed for a writ of mandamus, to direct the respondents to recover the petitioner's land by surveying the lands occupied by the Ahthar's family of the Wakf which situated in Survey No.545 to 552, T.SNo.2,3,4,5,6,10,11 to an extent of 27 acres situated at Kandiaperi - II village, Tirunelveli belongs to the Farusullasha Pakeer Taika Wakf based on the petitioner's representation dated 11.04.2025.

2. The petitioner is the Hereditary Muthavalli of Farusullasha Pakeer Taika in Sankarankovil road, Thachanallur, Tirunelveli.

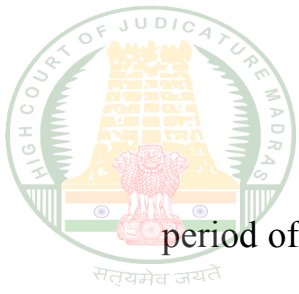


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3. It is the case of the petitioner that the subject wakf was under the direct control of the Wakf Board under Section 65 of the Wakf Act and that a resolution came to be passed on 14.03.2023 to take action against the Akhtars who have occupied the wakf property without paying the rent and had therefore, rendered themselves to be declared as encroachers. It is submitted that the petitioner has sent a representation on 11.04.2025 to the respondent Wakf Board to take action against the encroachers. However, till date, no action has been taken.

4. The learned Standing Counsel for the respondents submits that appropriate action will be taken after an enquiry is conducted by the 2nd respondent herein under Section 54 of the Wakf Act.

5. Since already a resolution has been passed by the Wakf Board on 14.03.2023 and the subject wakf was under the direct management of Wakf Board, there shall be a direction to the 2nd respondent to enquire and thereafter, initiate proceedings under Section 54 of the Act. The petitioner shall provide all the list of encroachments to the 2nd respondent within a



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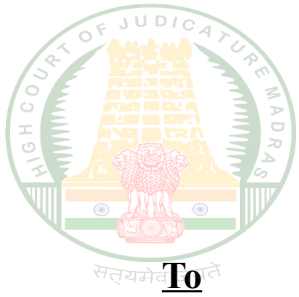
period of two (2) weeks from the date of receipt of copy of this order. On such details being furnished by the petitioner, the enquiry shall be held and thereafter, appropriate proceedings shall be initiated, within a period of three (3) months from the date of receipt of copy of this order and thereafter, the proceedings shall be initiated under Section 54(4) of the Act before the Wakf Tribunal. It is expected that the entire proceedings for removal of encroachments shall be initiated within a period of six (6) months from the date of receipt of copy of this order and the encroachments shall be removed as expeditiously as possible, after giving notice to the persons who are likely to be impacted.

6. With the above direction, this Writ Petition stands disposed of. No costs.

26.06.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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- To**
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Tamil Nadu Wakf Board,
No.1, Jafar Jarang Street,
Vallal Seethakadi Nagar,
Chennai.
 - 2.The Chief Executive Officer,
Wakf Board,
No.1, Jafar Jarang Street,
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C.SARAVANAN, J.

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