



W.P(MD)No.17570 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.07.2025

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CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.17570 of 2025

A.M.M.Abdul Salam

... Petitioner

Vs

1. The District Revenue Officer cum
Additional District Magistrate,
Tirunelveli,
Tirunelveli District.

2. The Chief Executive Officer,
Tamil Nadu Waqf Board,
No.1,. Jaffer, Syrang Street,
Vallalseethakati Street,
Chennai.

3. M.A.S. Mohideen Abdul Khadar,
S/o M.A.S. Mohamed Abu Backer,
No.54, Sappani Alim West Street,
Melapalayam
Tirunelveli 05.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the first respondent to implement the order made by the first respondent in NA.KA.K1/2508/2024 dated 27.12.2024 and take further action for delivery of possession of records, accounts and properties of the waqf to the petitioner in terms of Section 68 of the Unified Waqf Management, Empowerment, Efficiency and Development Act 1995, within



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the time that may be stipulated by this Court.

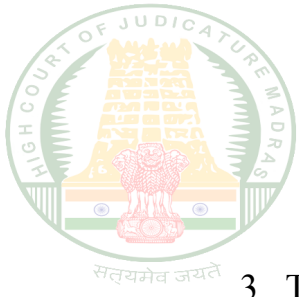
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For Petitioner : Mr.M.Mahaboob Athiff
For R-1 : Mr.M.Lingadurai
Special Government Pleader

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Mandamus, to direct the first respondent to implement the order made by the first respondent in NA.KA.K1/2508/2024 dated 27.12.2024 and take further action for delivery of possession of records, accounts and properties of the waqf to the petitioner in terms of Section 68 of the Unified Waqf Management, Empowerment, Efficiency and Development Act 1995.

2. The third respondent was the erstwhile Mutavalli. He has refused to hand over the records, accounts and properties. Therefore, a petition was filed before the first respondent and an order was passed in M.C.No.22 of 2022 on the file of the learned Judicial Magistrate, vide order, dated 29.12.2023, to hand over possession. In spite of the said order, the third respondent is still not handing over the records, accounts and properties. Therefore, the present writ petition has been filed.



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3. The learned Government Advocate appearing for the first respondent submitted that by referring to the letter dated 03.06.2025 issued by the District Revenue Officer, an appeal was preferred by the third respondent against the order in M.C.No.22 of 2022. Therefore, they cannot implement the order in Crl.O.P. 1411 of 2024.

4. The learned Counsel for the petitioner submitted that there is no stay in the said Criminal Original Petition.

5. Therefore, this Court is directing the first respondent to recover the records as per the order in M.C.No.22 of 2022 as expeditiously as possible.

6. With the above said directions, this Writ Petition is disposed of. There shall be no order as to costs.

02.07.2025

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

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To:

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Tirunelveli,
Tirunelveli District.
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S.SRIMATHY, J.

jbr

ORDER MADE IN
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