



W.P.(MD)No.30938 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 31.10.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.30938 of 2025

and

W.M.P.(MD)Nos.24135, 24137 & 24139 of 2025

Syed Ibrahim

... Petitioner

Vs.

- 1.The Tamil Nadu Wakf Board,
Rep by its Chief Executive Officer,
No.1, Jaffer 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.The Superintendent of Wakfs,
Tamil Nadu Wakf Board,
Madurai Zone,
Office of the Superintendent of Wakf, Madurai,
Madurai.
- 4.The Managing Committee,
Rep. by the Managing Committee,
Hazrath Syed Sulthan Alauddin Avuliya Dargah and Pallivasal,
Goripalayam, Madurai.



W.P.(MD)No.30938 of 2025

5.Fazil Basha

6.Syed Saleem

7.Syed Rasool

8.Syed Rafi

9.Syed Rasool

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for records of the 1st respondent dated 26.06.2025 in Na.Ka.No.14447/10/Aa8/Madurai in Serial No.1, Item No. 195/24 and the consequential proceedings of the 2nd respondent dated 26.06.2025 in Na.Ka.No.14447/10/Aa8/Madurai and quash the same and consequently to direct the 1st respondent to consider the petitioners request for modification of the scheme to include the jamathars in the administration of the Wakf and appoint dargah committee to Hazrath Syed Sulthan Alauddin Avuliya Dargah and Pallivasal Wakf strictly in accordance with the scheme.

For Petitioner :Mr.N.A.Nassir Hussian
for Mr.L.Kowser Sulthana

For Respondents :Mr.D.S.Haroon Rasheed
for R1 to R3

: Mr.M.Mahaboob Athiff
for R4



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W.P.(MD)No.30938 of 2025

ORDER

Heard both sides.

2. The petitioner challenges the order dated 26.06.2025 passed by the Tamil Nadu Wakf Board rejecting the writ petitioner's application for modification of the scheme governing the administration of the petition mentioned Wakf. Vide the impugned resolution dated 26.06.2025, five haqdars have been selected as the executive committee to manage the wakf.

3. The learned counsel for the writ petitioner primarily contended that the impugned order dated 26.06.2025 seeking modification of the scheme was passed even without hearing him. It is pointed out that the tenure of the executive committee has been fixed as five years ie., from 24.06.2025 till 23.06.2030. A mere look at the scheme dated 29.08.1987 would show that the managing committee will have tenure of only three years. Thus, on the very face of it, fixing the tenure of 5 years appears to be contrary to the scheme.

4. The learned standing counsel states that the wakf board will issue revised proceedings soon after the board is constituted reducing the tenure to



W.P.(MD)No.30938 of 2025

three years ie., 24.06.2025 to 23.06.2028. This undertaking given by the chief executive committee through the learned standing counsel is placed on record.

5. The scheme reads that only Haqdars can be a part of the managing committee. The petitioner admittedly is not a Haqdar. He may not have any prima facie locus to challenge the appointment of the haqdar committee. However, if any individual haqdar is suffering from any disqualification, as a person interested, the petitioner can very well mount a challenge. But this has to be necessarily done only before the Wakf tribunal. When the petitioner has an effective alternative remedy provided in the statue, the writ Court will not be justified in entertaining a challenge. Granting liberty to the writ petitioner to move the Wakf tribunal, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

31.10.2025

NCC : Yes / No
Internet : Yes / No
Index : Yes / No
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G.R.SWAMINATHAN, J



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W.P.(MD)No.30938 of 2025

rmi

W.P(MD)No.30938 of 2025

31.10.2025