



W.P.(MD) No.35157 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.12.2025

CORAM

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.(MD)No.35157 of 2025

M.Mohamed Abdullah

... Petitioner

Vs

1. The Tamil Nadu Wakf Board,
Rep. by its Chairman,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Street,
Chennai.
2. The Chief Executive Officer,
The Tamil Nadu Waqf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Street,
Chennai.
3. The Superintendent Wakf,
Madurai District,
Madurai.

4. Mohamed Ali Jinna

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd Respondent to take action under Section 54 of the Unified Waqf Management, Empowerment, Efficiency and Development Act, 1995 and consequently



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to make an application to the Waqf Tribunal under Section 54(3) of the said Act within the period that may be stipulated by this Court.

For Petitioner : Mr.S.A.Iniyavan Abdullah
for M/s.Ajmal Associates

For Respondents : Mr.S.A.Ajmalkhan for R1 to R3

ORDER

This Writ Petition is filed seeking a direction to the 2nd Respondent to take action under Section 54 of the Unified Waqf Management, Empowerment, Efficiency and Development Act, 1995 and consequently to make an application to the Waqf Tribunal under Section 54(3) of the said Act within the period that may be stipulated by this Court.

2. Mr.S..A.Ajmalkhan, learned counsel takes notice for respondents 1 to 3. Since no adverse order is going to be passed against the 4th respondent, notice to him is dispensed with. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.



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3. It is the case of the petitioner that Manmoor Sha alias Katbatsha Darga Wakf is a notified Wakf and the said Wakf has been in existence since 1992. The said Wakf have owned lands with the total extent of 5.85 cents and also one house located in Door No.69, Solaialagupuram. As per the Wakf proforma, the lands comprised in S.Nos.54/5 and 54/6 situated at Ram Nagar, Ponmeni Village, 3rd Street, Madurai, measuring a total extent of 1.81 Acres, have been under the unlawful occupation of the 4th respondent, who claims to be agricultural tenants for more than 30 years without obtaining any permission or approval from the Waqf Board. Hence, the petitioner made a representation on 24.10.2025 before the 2nd respondent, seeking to remove the encroachment made by the 4th respondent.

4. Considering the facts and circumstances of the case, this Court is of the view that if any complaint is brought to the knowledge of the second respondent Board with regard to the encroachment, the second respondent is directed to take it as information and proceed in accordance with law. In the present case, the petitioner has made a representation on 24.10.2025 about the encroachment made by the 4th respondent. Therefore, this Court directs the 2nd respondent to consider



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the representation of the petitioner dated 24.10.2025 and proceed in accordance with law.

5. With the above direction, this Writ Petition is disposed of.

There shall be no order as to costs.

09.12.2025

Index : Yes/No
Internet: Yes/No
Neutral Citation: Yes/No

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KRISHNAN RAMASAMY, J.

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