



WEB COPY

WP No. 7288 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-03-2026

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THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 7288 of 2023

AND

WMP NO. 7347 OF 2023, WMP NO. 10266 OF 2023

S.P.Mohamed Ali

..Petitioner(s)

Vs

The Tamil Nadu Wakf Board
Rep. by its Chief Executive Officer, Jaffer Syrang
Street, Vallal Seethakathi Nagar, Chennai 01

..Respondent(s)

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of writ of Certiorari calling for records of the respondent ending with Na.Ka.No. 17183/ 2022/ A6 / Cuddalore dated 29/12/2022 and quash the same and pass

For Petitioner(s): Mr.I.Kowser Nissar

For Respondent(s): M/s. S. Haja Mohideen Gisthi

Order

The writ petition is filed to quash the impugned order of the respondent dated 29.12.2022, wherein the property of the Trust was wrongly registered as additional properties belonging to the Mosque in Labbai Street, Chidambaram.



2. Case of the petitioner is that one Madhar Saheb owned vast extent of land in Keezhathirukazhipaalai Village, Chidambaram Taluk. He endowed the properties to the Trust with the object of running a religious School viz., Women's Madarasa at Labbai Street, Chidambaram. The petitioner's father was appointed as muthavalli. After the demise of his father, the petitioner is holding the said post. While being so, the respondent Chief Executive Officer of the Wakf Board vide proceedings dated 29.12.2022, has erroneously registered the properties of the Trust as additional properties belonging to the Mosque in Labbai Street, Chidambaram. Aggrieved by the same, the petitioner is before this Court.

3. Learned counsel for the petitioner submitted that the impugned order was passed without any notice and he was not given any opportunity of hearing. Further the properties of the Trust cannot be included as additional properties of a different Wakf. Hence, he prays to quash the impugned order.

4. Learned counsel for the respondent submitted that after perusal of the records namely the Waqf Deed dated 20.01.1951 and in order to safeguard the waqf property, the present notification is issued. If at all the petitioner is aggrieved by the notification, the remedy is available before the Waqf Tribunal.

5. Heard both sides and also perused the materials available on record.



6. Admittedly the petitioner claims that the property which was notified by the respondent belongs to the Trust namely Women's Madarasa, however the same was wrongly mentioned as properties of the Mosque and it has now been notified as additional properties vide the impugned order. Before publication of the notification, which is impugned herein, prior notice was not served to the petitioner and therefore, the same is a gross violation of principles of natural justice.

7. In view of the above reasoning, this Court is inclined to set aside the notification dated 29.12.2022 passed by the respondent in respect of survey numbers of the above said Trust. Accordingly, the Notification dated 29.12.2022 issued by the respondent in respect of properties of the Trust, is set aside and the respondent is directed to conduct fresh enquiry, after providing an opportunity of hearing to the petitioner and take decision as per law.

8. With the aforesaid directions, this writ petition is disposed of. No costs. Consequently connected miscellaneous petitions are closed.

03-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To
The Chief Executive Officer,
The Tamil Nadu Wakf Board, Jaffer Syrang Street,
Vallal Seethakathi Nagar, Chennai 01



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M.DHANDAPANI J.

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