



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-04-2026

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE K.SURENDER

W.P.No.9876 of 2023

The Muthawalli
Madina Masjid and Shaik Madar Auuliya
Dargah, No. 5, Jonahan Street,
Foreshore Estate, Santhome,
Chennai-600 028.

..Petitioner

-VS-

1. The Revenue Divisional Officer,
Chennai South, Office of the Revenue
Divisional officer, Guindy, Chennai – 32.
2. The Chief Executive Officer
Tamil Nadu Wakf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar, Chennai 1.
3. M.John
4. M.James
5. M.Franklin
6. M.Sagayam @ Deiva Sagayam
7. Ruby
8. Clara
9. M.John Kiro
- 10.Selva Mary
- 11.D.Sundaramoorthy

... Respondents

Prayer: Directing the 1st respondent to implement the order of the 2nd respondent dated 14.01.2011 in Proc.No.4293/C2/09 and as sought vide proceedings of the 2nd respondent dated 05.08.2022 in Na.Ka.4293/E2/Che/ 09 and representation dated 24.02.2023.



WEB COPY

W.P.No.9876 of 2



For Petitioner:

Mr.T.Karthi Raj
for Mr.I.Kowser Nissar

For Respondent(s):

Mr.T.Arun Kumar, AGP for R1
Mr.S.Haja Mohideen Gisthi for R2

ORDER

(Order of the Court was made by S.M.Subramaniam,J.)

Writ of Mandamus has been instituted to direct the 1st respondent to implement the order of the 2nd respondent dated 14.01.2011 in Proc.No.4293/C2/09 and as sought vide proceedings of the 2nd respondent dated 05.08.2022 in Na.Ka.4293/ E2/Che/ 09 and representation dated 24.02.2023.

2. The fact in nutshell would show that Wakf property has been encroached upon by private individuals. Eviction proceedings have been instituted before the Tamil Nadu Wakf Board and the Chief Executive Officer passed an order dated 14.01.2011. An appeal has been preferred before the Wakf Tribunal, which, in turn confirmed the order of the Wakf Board. Thereafter, the Chief Executive Officer addressed a letter to the Revenue Divisional Officer to execute the eviction proceedings by following the procedures as contemplated under the provisions of Section 55 of the Wakf Act, 1995. Since no action has been initiated by Revenue Divisional Officer, the present writ petition has been instituted.



3. It is needless to state that duty mandated under the Wakf Act, 1995 is to be performed by the competent authority in the manner provided and without causing any undue delay. Execution of eviction proceedings issued under the Wakf Act, 1995 is to be implemented by the jurisdictional Revenue Divisional Officer.

4. In the present case on hand, the Chief Executive has already addressed a letter to the Revenue Divisional Officer. In view of the facts and circumstances, the Competent Authority is directed to execute the eviction proceedings pursuant to the eviction order passed by Wakf Board, as confirmed by Wakf Tribunal within a period of twelve weeks from the date of receipt of a copy of this order.

With the above observations and directions, the present Writ Petition is disposed of. No costs.

(S.M.S.,J.) (K.S.,J.)
16-04-2026

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



WEB COPY

W.P.No.9876 of 2



S.M.SUBRAMANIAM,J.
AND
K.SURENDER,J.
AR

To:

1. The Revenue Divisional Officer,
Chennai South, Office of the Revenue Divisional officer,
Guindy, Chennai – 32.
2. The Chief Executive Officer
Tamil Nadu Wakf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar, Chennai 1.

W.P.No.9876 of 2023

16.04.2026