



W.A.No.904 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.04.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.A.No.904 of 2026

M.Mahaboob Hussain
S/o.Mohammed Eliyas,
No.1, Neelukadai Street,
Chidambaram,
Cuddalore District -608 001

Appellant

Vs

1.The Tamil Nadu Wakf Board
Rep. by its Chairman,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai-600 001

2.M.Mohammed Hussain
S/o.Mahidheen Basha,
No.30/5, Lal Khan Street,
Chidambaram, -608 001

Respondents



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PRAYER: Appeal filed under Clause 15 of the Letters Patent to set aside the order passed by the learned Single Judge in W.P.No.9738 of 2026, dated 11.3.2026.

For Appellant: Mr.Y.Kajanavas

JUDGMENT
(Delivered by the Hon'ble Chief Justice)

This writ appeal under Clause 15 of the Letters Patent has been filed challenging the order dated 11.3.2026 passed in W.P.No.9738 of 2026, whereby the learned Single Judge dismissed the writ petition.

2. The appellant/writ petitioner has filed the writ petition praying for the following relief:

"For the reasons stated in the accompanying affidavit, it is therefore prayed that this Hon'ble Court may be pleased to issue a Writ of Mandamus directing the respondent to consider the petitioner representation dated 10.02.2026 and consequently conduct an enquiry and take appropriate action under the Wakf Act, 1995 against the persons illegally collecting rent from the properties of Nawab Abdul Nabikhan Mosque Wakf (G.S.No.62) within a time frame fixed by this Hon'ble Court and pass such further or other



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orders as this Hon'ble Court may deem fit and proper and thus render justice."

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3. The learned Single Judge, while dismissing the writ petition, came to the conclusion that the first respondent Board vide order dated 22.5.2025 appointed Seven Member Committee [One Hereditary Muthavalli and Six Members], including the second respondent, to administer the properties of Nawab Abdul Nabikhan Mosque Wakf. Since the said Wakf has not been made as party in the writ petition, no relief can be granted to the petitioner.

4. Learned counsel for the appellant submitted that the second respondent, without any authority, is collecting rents from the tenants occupying the Wakf properties, which is illegal.

5. We have gone through the order passed by the learned Single Judge and also the records available. We find that the Seven Member Committee is not arrayed as respondent in the writ petition and they are competent persons to collect the rents from the tenants. In such view of the matter, we do not find any error in the order passed by the learned Single Judge. The writ appeal is bereft of substance.



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6. Accordingly, the writ appeal is dismissed. There shall be no order as to costs.

(SUSHRUT ARVIND DHARMADHIKARI, CJ) (G.ARUL MURUGAN,J)
21.04.2026

Index : Yes/No
Neutral Citation : Yes/No
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To:

The Chairman,
Tamil Nadu Wakf Board
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai-600 001



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THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN,J.

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