



WEB COPY

WP No. 20227 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-03-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

**WP No. 20227 of 2022
and WMP.No.19468 of 2022**

1. S.Muzamil Khan
2. S.Eshan Ulla Khan

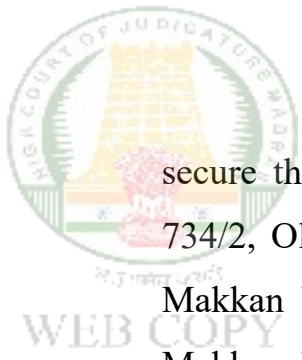
..Petitioner(s)

Vs

1. Tamil Nadu Wakf Board
Rep. by Chief Executive Officer, No.1, Jaffar
Syrang Street, Vallal Seethakathi Nagar,
Chennai 600 001.
2. Bharat Petroleum Corporation Limited
Rep by its Territory Manager,
Karur Installation, Athur, Kattaparai Village.
3. Nadeem Fuel Centre
Rep by its Proprietor Vinodh,
Opp. To Old Bus Stand, Hosur,
Krishnagiri District.
4. Dr.E.Chitra
W/o.Dr.S.Balasubramaniam, H-442,
Old ASTC HUDCO, Hosur, Hosur Taluk,
Krishnagiri District.

..Respondent(s)

The writ petition has been filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the 1st respondent to initiate appropriate action under the provisions of 51, 52, 52(A) and 54 of Wakf Act 1995 and



secure the land of an extent of 1.19 acres of land in Survey No. 734/1 and 734/2, Old Bangalore Road, Hosur, Krishnagiri District for the sake of Bada Makkan Wakf of Hosur and direct the 1st respondent to entrust the Purana Makkan Wakf and its properties with the petitioners for being administered subject to the control of the 1st respondent following the representations made by the petitioners dated 24-01-2022.

For Petitioner(s):	Mr.S.Sadasharam
For Respondent(s):	M/s. C.Shankar For R1
	M/s. O.S.Karthikeyan For R3
	M/s. R.Poornima, For R2
	M/s.Vishnu For R4

ORDER

The writ petition has been filed directing the 1st respondent to initiate appropriate action under the provisions of 51, 52, 52(A) and 54 of Wakf Act 1995 and secure the land of an extent of 1.19 acres of land in Survey No. 734/1 and 734/2, Old Bangalore Road, Hosur, Krishnagiri District for the sake of Bada Makkan Wakf of Hosur and direct the 1st respondent to entrust the Purana Makkan Wakf and its properties with the petitioners for being administered subject to the control of the 1st respondent following the representations made by the petitioners dated 24-01-2022.

2. It is the case of the petitioners that Wakf property of an extent of 1.19 acres of land comprised in S.No.734/1 and 734/2 and covered under title deed No.1440 dated 12.03.1863 issued by Nawab Tippu Sultan for the support of



Bada Makkan Wakf for celebration of Muharam is attempted to be encroached upon by 4th respondent who claims to have purchased an extent of 4126 sq. ft. comprised in S.No.734/2 and the first respondent being an authority to secure the property of Bada Makkan wakf, the petitioners made representation to the first respondent on various dates and since no action had been taken, it has become necessary for the petitioners viz., Hosur, Jamiya Masjid to file the present writ petition.

3. The learned counsel for the petitioner submitted that this Court may direct the respondents to consider the petitioner's representation and pass appropriate orders within the time stipulated by this Court.

4. The learned counsel for the 4th respondent submitted that on the earlier occasion, the 4th respondent has filed a writ petition before this Court to hand over the subject land to her from the respondent and this Court also believed the title of the subject land and directed the respondent to hand over the vacant possession of the premises to the petitioner/4th respondent herein vide order dated 14.10.2022 in WP.No.8928 of 2013.

5. Since it is a disputed question of fact between the parties and it is purely civil in nature, this Court cannot be decided the issue. If the petitioners are aggrieved, they have to file appropriate suit/petition before the competent



civil court. Instead of doing that, the petitioners approached this Court by way of filing this writ petition under Article 226 of Constitution of India, which is not maintainable and hence, the prayer sought for by the petitioner cannot be granted and the writ petitions is liable to be dismissed.

6. In the result, the writ petition is dismissed with liberty to the petitioners to work out their remedy in the manner known to law. No costs. Consequently, connected miscellaneous petition is closed.

02-03-2026

RLI

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

To

The Chief Executive Officer,
Tamil Nadu Wakf Board
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai 600 001.



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M.DHANDAPANI, J.

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