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Cont.P.No.2854 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.02.2026

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Cont.P.No.2854 of 2025

- 1.B.Mohamed Salman
- 2.M.Sheik Mohamed
- 3.J.Musthafa
- 4.Y.Peer Mohamed
- 5.B.Anwar Ali

.. Petitioners

Vs.

- 1.K.Navaskani
The Chairman,
Tamil Nadu Wakf Board,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai – 600 001.
- 2.Dr.Darez Ahamed, IAS,
The Chief Executive Officer,
Tamilnadu Waqf Board,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai – 600 001.

.. Respondents

Prayer: Contempt Petition filed under Section 11 of the Contempt of Courts Act to punish the respondents for wilful disobedience of the order of this Court dated 23.05.2025 passed in W.M.P.No.21289 of 2025 in W.P.No.19008 of 2025.



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For Petitioners : Mr.R.Veeramani
For Respondents : Mr.Abdul Mubeen

ORDER

Pursuant to the request made by Mr.Abdul Mubeen on 30.01.2026, the matter is listed today.

2. When the matter is called, Mr.Abdul Mubeen has produced a proceeding of the Chief Executive Officer of the Wakf Board dated 09.02.2026 and the same is scanned and extracted hereunder:



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**PROCEEDINGS OF THE CHIEF EXECUTIVE OFFICER (FAC),
TAMIL NADU WAQF BOARD, CHENNAI-600 001.
PRESENT: JB. AFTAB RASOOL, I.A.S.,**

Proc. No.10773/E1/2006

Dated: 09.02.2026.

SUB:	Establishment - Tamil Nadu Waqf Board - Engagement of 13 Junior Assistants on contingent basis during 2007-2009 - Regularization of services in 2018 - Appeal referred to the Government on appointment - Rejection by the Government and Terminated in 2025 - Filing of W.P. Nos. 21849, 19008, and 19526 of 2025 - Common Order of the Hon'ble High Court of Madras dated 10.12.2025 - Initiation of Contempt Proceedings - Filing of Writ Appeals - Allowed to work as subject to the outcome of the Writ Appeals 347 of 2026, 348 of 2026 and 350 of 2026 pending before the Hon'ble High Court - Orders issued.
READ:	1. Government Letter No.1244/S2/2016-3 dated 04.05.2017, 2. G.O.Ms.No.83, BC, MBC&MW department, dated :24.12.2014 3. Tamil Nadu Waqf Board Resolution No.10773/E1/2006 dated 27.06.2018, 4. This Office letter to the Government, Lr no: 10773/E1/2006, dated: 14.06.2021. 5. Government Letter No.1229051/S2/2021-4, dated 05.02.2025. 6. Tamil Nadu Waqf Board Resolution No.10773/E1/2006 dated 25.02.2025. 7. This office Proceedings no. 10773/E1/2006 dated:23.05.2025 8. This office letter no.10773/E1/2006, dated: 23.5.2025. 9. Contempt petition No:2854 of 2025 dated:30.10.2025. 10. This office Proceedings no. 10773/E1/2006 dated:08.12.2025 11. Contempt petition No:2758 of 2025 dated:06.01.2025. 12. Orders of the Hon'ble High Court of Madras dated 10.12.2025 in W.P.Nos.21849, 19008 and 19526 of 2025. 13. This office letter to Government Lr.No.10773/E1/2006, dated: 14.01.2026. 14. Letter from Government No.10704591/S2/2025-11, dated:22.01.2026. 15. Hon'ble high court Writ Appeal no.347,348 and 350 of 2026, dated: 05.02.2026.



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ORDER:

The Tamil Nadu Waqf Board had appointed thirteen individuals as Junior Assistants during the years 2007 to 2009 on a consolidated basis, as detailed below:

S.No	Name	Qualification	Date of Birth	Date of appointment	Remarks
1	Janab.B.Mohammed Salman	M.Com., DCA	11.09.82	01.07.2007	-
2	Janab.B.Anwar Ali	M.A., DCA	15.08.80	16.11.2007	-
3	Janab.J.Jainulabdeen	M.A., M.Phil	10.05.76	04.02.2008	-
4	Janab.Y.Peer Mohammed	B.Com., DCA	04.03.78	17.03.2008	-
5	Janab.J.Mustafa	B.Com	16.04.78	17.03.2008	-
6	Janab.M.Sadiq Basha	B.A., DCM	06.05.76	17.03.2008	Resigned from service on 02.10.2023
7	Janab.A.Mansoor Ahmed	B.A., DOA	15.06.85	10.05.2008	-
8	Janab.K.Syed Noor Alam Ibrahim	B.A.,	31.08.74	23.06.2008	-
9	Janab.K.Syed Vajeethu	B.Sc., DCA	14.03.79	01.09.2008	-
10	Janab.N.Mohamed Imran	B.Com., M.Lis DOA	09.01.86	02.02.2009	Resigned from service on 02.11.2023
11	Janab.M.Thangul Abdul Rezaek	B.Sc., M.A	25.07.75	02.02.2009	-
12	Janab.M.Sheik Mohamed	M.A., DCA	20.04.80	05.03.2009	-
13	Janab.S.Syed Riza	B.A., DCA	02.01.1966	04.02.2008	Deceased on 15.09.2024.

In the year 2016, four individuals who were temporarily recruited as Junior Assistants in 2010 through the Employment Exchange submitted representations seeking regularisation of their services. The matter was referred to the Government for clarification, and the Government, after examining the issue, issued letter dated 04.05.2017 stating that the Tamil Nadu Waqf Board is an autonomous body and the appointing authority for the post of Junior Assistant, and that regularisation of the employees of the Tamil Nadu Waqf Board by the Government would not arise.

With reference to this letter and pursuant to the Government Order in G.O.Ms.No.83, BC, MBC & MW Department dated 24.12.2014 permitting the Tamil Nadu Waqf Board to fill up 47 entry-level posts, the above thirteen



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Individuals submitted representations requesting regularisation of their services,

Considering the long services rendered by the above thirteen individuals along with four staff appointed through Employment Exchange, the Board, in its Resolution Item Nos.51/18 and 52/18 dated 20.06.2018, unanimously resolved to request Thiru. M. Ajmal Khan, Senior Advocate and then Hon'ble Member of the Board, to examine the issue of regularisation and submit a report on the legal validity thereof.

Thiru. M. Ajmal Khan, Senior Advocate, submitted his detailed report on 25.06.2018 recommending regularisation of the services of the seventeen employees, citing various judicial precedents. The Board, in its Resolution Nos.51/18 and 52/18 in R.C.No.10773/E1/2006 dated 27.06.2018, accepted the said report in full and resolved to regularise the services of the seventeen employees with effect from 27.06.2018.

At the time of regularization, the four staff who were appointed through Employment Exchange the above said thirteen individuals are also included in list of appointment and regularization in cadre of the Junior Assistant.

Subsequently, the then Chief Executive Officer addressed the Government seeking instructions as to whether such regularisation could be taken into account. The Government, in letter dated 22.09.2021, informed that the recruitment and regularisation of the thirteen individuals could not be accepted.

The matter was again placed before the Board, and in its Resolution dated 30.09.2021, the Board directed the Chief Executive Officer to prefer an appeal before the Government seeking relaxation of Regulation 3 of the Tamil Nadu Waqf Board Service Regulations, 1971.

Accordingly, the Chief Executive Officer, in letter dated 09.11.2021, requested the Government to accord one-time relaxation of Regulation 3, citing Regulation 5 empowering the Board to exempt age limits and the long years of service rendered by the individuals, whose alternative employment prospects had substantially diminished.

However, the Government, in its letter dated 18.03.2022, rejected the proposal. Thereafter, the Board, in Resolution Item No.56/22 dated 30.03.2022, resolved to request intervention at the highest level on compassionate grounds.



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3. The petitioners have been reinstated by the said order as Junior Assistants, subject to the outcome of W.A.No.347 of 2026, W.A.No.348 of 2026 and W.A.No.350 of 2026. As the respondents have complied with the order, **the Contempt Petition is closed.**

4. Mr.Abdul Mubeen states that the petitioners, if they report for duty tomorrow i.e., on 11.02.2026, they will be assigned work. His statement is recorded.

10.02.2026

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Neutral Citation : Yes / No



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V.LAKSHMINARAYANAN, J.

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