



WEB COPY

CONT P No. 3091 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-04-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

**CONT P No. 3091 of 2025
in W.P.no.3091 of 2025**

A.R. Nazar Hussain,
Muthawalli,
Nawab Chanda Miyan Masjid and
Mir Monin Madad Tomb Wakf,
No. 77 Mathalakula Street,
Tiruvannamalai District

..Petitioner(s)

Vs

K.Tharpagaraj,
The District Collector,
Tiruvannamalai District,
Tiruvannamalai 606 605.

..Contemnor(s)

Petition filed under Section 11 of the Contempt of Courts Act, 1971, praying to punish the respondent for wilful disobedience of this Hon'ble Court's order passed in W.P.No. 34481 of 2023 dated 13.02.2024.

For Petitioner(s): Mr.Y.Kaja Navas

For Contemnor(s): Mr.P.Kumaresan, AAG
Asst. by Mr.A.Selvendran, SGP

ORDER

This Contempt Petition has been filed to punish the respondent for wilful disobedience of the order passed by this Court in W.P.No. 34481 of 2023 dated 13.02.2024.



2. Heard Mr.Y.Kaja Navas, learned counsel for the petitioner and Mr.P.Kumaresan, learned Additional Advocate General appearing on behalf of the respondent.

3. The learned counsel for the petitioner submitted that this Court by its order in W.P.No.34481 of 2023 dated 13.02.2024 had issued a direction to the first respondent therein/Contemnor to take further action for removal of the encroachments except the portion in the occupation of the third respondent therein/one K.Shajahan following the prescribed procedure in terms of Sections 52(5) and 52(6) of Wakf Act, 1955, however the said order was not complied with and hence, the present Contempt Petition.

4. The learned Additional Advocate General has filed a status report of the respondent before this Court today. He submitted that the order of this Court dated 13.02.2024 was strictly complied with.

5. In response, the learned counsel for the petitioner submitted that out of 26 encroachments, only 11 encroachments were removed by the respondent.

6. Assailing the submission of the learned counsel for the petitioner, the learned Additional Advocate General submitted that out of 26 encroachments, 11 encroachments were removed and the remaining occupants as against the



order of eviction, filed a writ petition and others have approached the Wakf Tribunal by way of filing appeals. This Court had granted an interim stay for dispossession in the Writ Petition of the occupant concerned and the appeals were pending before the Wakf Tribunal and till disposal of the said cases, the respondent is not in a position to remove the encroachers.

7. In view of the aforesaid facts, the petitioner is at liberty to work out his remedy in the manner known to law, after disposal of the pending cases of the encroachers before this Court as well as before the Wakf Tribunal.

8. With the above observations, the Contempt Petition stands closed.

17-04-2026

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

DP

To

The District Collector,
Tiruvannamalai District,
Tiruvannamalai 606 605.



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M.DHANDAPANI, J.

DP

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