



WEB COPY



W.P.No.33131 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-03-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 33131 of 2024

The Mutawalli
Jumma Masjid Wakf At Salavakkam, Inamdar
Street, Salavakkam Village And Post,
Kancheepuram District.

..Petitioner(s)

Vs

1. The District Collector
District Collectorate Kanchipuram District,
Kancheepuram District.
2. The District Revenue Officer
Office Of The District Revenue Officer,
Kancheepuram District.
3. The Revenue Divisional Officer
Office Of The Revenue Divisional Officer,
Kancheepuram.
4. The Tamil Nadu Wakf Board
Rep By Its Chief Executive Officer, No.1, Jaffer
Syrang Street, Vallal Seethakathi Nagar,
Chennai-1.
5. The Tahsildar
Uthramerur, Kancheepuram District.

..Respondent(s)

PRAYER: To direct the 1st respondent to consider and pass orders on the petitioner's objections dated 27/2/24 seeking to set aside any acquisition



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proceeding in respect of property in S.No. 70/2, Salavakkam Village, Kancheepuram District as sought vide representation dated 28/3/24 on its own merits as per section 91(4) of the Wakf Act 1995.

For Petitioner(s): I.Kowser Nissar

For Respondent(s): Mrs.V.Yamunadevi, Special Government
Pleader for R1 to R3 & R5.
Mr.Mohamed Fayaz Ali, Senior Counsel
for R4.

ORDER

This writ petition has been filed seeking to direct the 1st respondent to consider and pass orders on the petitioner's objections dated 27/2/24 seeking to set aside any acquisition proceeding in respect of property in S.No. 70/2, Salavakkam Village, Kancheepuram District as sought vide representation dated 28/3/24 on its own merits as per section 91(4) of the Wakf Act 1995.

2.The case of the petitioner is that the Jumma Masjid Wakf situated at Salavakkam in S.No.70 to an extent of 5.9 acres is a registered Wakf under the supervisory control of the Tamil Nadu Wakf Board and was declared to be a Wakf property by Judgment dated 01.12.1995 in O.S.No.82 of 1995 on the file of the Additional Sub Court, Chengalpattu. However, it has been brought to notice that the land in S.No.70, belonging to Jumma Masjid Wakf has been sub divided as



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70/1 – 1.49 acres, 70/2 – 4.00 acres and has been classified as Poramboke by the Inspector of Wakf and was allotted to Adi Dravidars by acquisition and temporary patta has also been issued to them. Aggrieved by the said acquisition, the petitioner has given representation to the first respondent and since, the same has not been considered, W.P.No.32056 of 2014 has been filed and this Court by order dated 06.07.2022 has directed the fifth respondent to pass appropriate orders on the representation of the petitioner. Accordingly, the fifth respondent by proceedings in Na.Ka.No.3482/2022/A1 dated 11.11.2022 has passed an order rejecting the representation of the petitioner. Thereafter, objections have been filed before the first respondent on 27.02.2024 under Section 91 of the Wakf Act seeking to set aside the acquisition proceedings in respect of the property in S.No.70/2, Salavakkam stating that no opportunity of hearing was given to the Wakf pertaining to the said acquisition and reminder has also been sent to the first respondent. However, since no action or reply has been given, the petitioner has come before this Court by way of this petition.

3.Heard the learned counsel for the petitioner, learned Special Government Pleader appearing for the respondents 1 to 3 and 5 and the learned senior counsel appearing for the fourth respondent.



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4. In view of the aforesaid facts and circumstances of the case and the limited relief sought for in this petition, the first respondent is directed to consider and pass orders on the petitioner's objections dated 27.02.2024 seeking to set aside any acquisition proceeding in respect of property in S.No.70/2, Salavakkam Village, Kancheepuram on its own merits as per section 91(4) of the Wakf Act 1995 within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the aforesaid direction, this writ petition is disposed of. No costs.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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