



WEB COPY

WP No. 77 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-01-2026

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP No. 77 of 2026

and

W.M.P.Nos.60 & 61 of 2026

S.K.Abdul Gani
Vice President,
Pattu Mosque Managing Committee,
At No.14/42, Masudi Street,
Pattu, Mangadu,
Chennai - 600 122.

Petitioner

Vs

1. The Tamil Nadu Wakf Board,
Rep. by its Chief Executive Officer,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai – 1.

2.The President,
Pattu Mosque Managing Committee,
Mangadu, Chenani - 600 123.

3.S M H S Nursery and Primary Schools,
At No.27, Angala Parameshwari Nagar,
Kundrathur, Chennai - 600 069.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Certiorari, calling for the records of the first respondent dated 20.03.2025 in Se.Mu.order.1122/07/B4/Kanchi and quash the same.

For Petitioner: Mr.N.A. Nassir Hussain

For R1: Mr.R. Abdul Mubeen



ORDER

The prayer in the writ petition is for a writ of Certiorari calling for the records of the first respondent dated 20.03.2025 in Se.Mu.Order.1122/07/B4/Kanchi and quash the same.

2. Upon hearing the learned counsel for the petitioner and perusing the affidavit filed in support of the writ petition and the other material records, the grievance of the petitioner is that the lease is now being granted to the third respondent for a throwaway price. The correct procedure is not followed and the consent of the entire *Jamath* and the will of the majority are being overlooked. Even a backdoor method is adopted to give the property to the third respondent for a very lesser amount. The third respondent is said to be a school and unless the school has a long-term lease, it cannot establish itself as a school. By getting the property on a three-year lease, the third respondent cannot start the school. Therefore, the entire exercise is illegal. Hence, the petitioner is before this Court.

4. Per contra, *Mr.R. Abdul Mubeen*, the learned counsel taking notice on behalf of the Waqf Board would submit that the lease is being granted in complete observance of Rule 5 of the Waqf Properties Lease Rules, 2014. As a



matter of fact, an advertisement was issued and tenders were called for and the Managing Committee, which includes the petitioner as the Vice President, has passed a resolution accepting the highest bid of the third respondent. A copy of the said resolution is also produced before this Court. The same was not produced along with the writ petition.

5. I have considered the rival submissions made on either side and perused the material records of the case.

6. Even though the petitioner raises concerns regarding the quantum of rent and the manner in which the third respondent is granted the lease, it can be seen that the lease is now being granted only after due advertisement. After the advertisement, the Managing Committee has considered the bids received and a resolution is passed on 03.11.2024. The resolution categorically reads that the third respondent has quoted Rs.2850/-, whereas another educational institution namely *Al Hilal* Educational trust had quoted Rs.2550/- and therefore they are accepting the amount of Rs.2850/ quoted by the third respondent.

7. On a perusal of the copy of the resolution, it can be seen that it is passed on a consensual basis by all the 11 persons signing the resolution. The



person who signed at serial number 4 is none other than the petitioner.

Therefore, this is nothing but an afterthought and once the lease is granted as per procedure, thereafter, even if the petitioner genuinely feels that it is of a lesser quantum of rent, by an afterthought the lease cannot be once again revisited, as that will affect the sanctity of the very process.

8. Accordingly, finding no merits, the writ petition stands dismissed. No Costs. Consequently, connected miscellaneous petitions are also closed.

09-01-2026

Neutral Citation: Yes/No

ns1

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



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D.BHARATHA CHAKRAVARTHY J.

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