



W.P.(MD) No.4097 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.02.2026

CORAM

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.(MD)No.4097 of 2026

Zahirudeen

... Petitioner

Vs

- 1.The Secretary,
Tamil Nadu Wakf Board,
No.1, Zabar Sirang Street,
Vallal Seethakathi Nagar,
Chennai.
- 2.The Wakf Superintendent,
Wakf Superintendent Office,
No.1, Town Hall Road,
Madurai.
- 3.T.Najmudeen,
Trustee of the Chinna Pallivasal,
Melamasi Veethi Town Hall,
Madurai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent Nos.1 and 2 to conduct the enquiry on the petitioner's representation dated 10.01.2026 and to take action to produce the accounts of Chinna Pallivasal Melamasi Veethi for the past 30 years before the Wakf Board and auditing the same and also to take appropriate action.



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For Petitioner : Mr.R.Paranjothi,
for M/s. KBS Law Office

For R-1 and R-2 : Mr.K.Jeyamohan

ORDER

This writ petition has been filed seeking a direction to respondent Nos.1 and 2 to conduct an enquiry on the basis of the petitioner's representation dated 10.01.2026 and to take appropriate action for producing the accounts of Chinna Pallivasal, Melamasi Veethi, for the past 30 years before the Wakf Board, to audit the same and to initiate necessary action in accordance with law.

2. The learned counsel appearing for the petitioner would submit that the petitioner is a Jamath member of the Chinna Pallivasal, Melamasi Veethi, which is administered in terms of the Scheme Decree passed in O.S.No.120 of 1920 on the file of the Additional District Munsif Court, Madurai. It is submitted that the third respondent has been continuing as Trustee for the past 33 years without transparency and without furnishing proper accounts relating to income and expenditure. Despite repeated requests made by the petitioner and other Jamath members, the third respondent has failed to produce the accounts.



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Therefore, the petitioner submitted detailed representations to the concerned authorities seeking appropriate action. Since no steps have been taken, the present writ petition has been filed.

3. The learned counsel appearing for respondent Nos.1 and 2 would submit that under Section 70 of the Unified Waqf Management, Empowerment, Efficiency and Development Act, 1995, the petitioner has an effective statutory remedy by way of filing an affidavit before the Wakf Board, upon which the Board is empowered to conduct an enquiry. It is further submitted that mere submission of representations would not suffice when the statute prescribes a specific procedure. It is also submitted that once the Wakf Board becomes functional, appropriate action would be taken in accordance with law.

4. Considering the submissions made on either side, this Court finds that when the statute provides a specific mechanism under Section 70 of the Unified Waqf Management, Empowerment, Efficiency and Development Act, 1995, for making a complaint by filing an affidavit, the petitioner is required to avail the said statutory remedy. Mere representations without invoking the procedure contemplated under the Act would not serve any purpose.



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5. Therefore, the petitioner is at liberty to file an affidavit/complaint in terms of Section 70 of the Unified Waqf Management, Empowerment, Efficiency and Development Act, 1995, before the competent authority. On receipt of such affidavit, the Wakf Board, once functional, shall consider the same and conduct enquiry in accordance with law and pass appropriate orders on merits within a period of three months from the date of filing of such affidavit.

6. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

13.02.2026

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

To
1.The Secretary,
Tamil Nadu Wakf Board,
No.1, Zabar Sirang Street,
Vallal Seethakathi Nagar,
Chennai.

2.The Wakf Superintendent,
Wakf Superintendent Office,
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KRISHNAN RAMASAMY, J.

TSG

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