



W.P.(MD).No.4651 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.02.2026

CORAM:

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P(MD)No.4651 of 2026

Sheik Mohamed

Vs

...Petitioner

1.The Chief Executive Officer,
Tamil Nadu Waqf Board,
No.1, Jaffer Syrang Street,
Vallalseethakathi Nagar,
Chennai 600 001.

2.The Superintendent of Waqf,
Tirunelveli Zone,
No.51/80, Khader Avulia Darga Pallivasal,
(KAP Complex), Kulavanigarouram,
Palayamkottai,
Tirunelveli 627 002.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to hand over charge and deliver possession of the records, accounts and all properties of the Uthuman Lebbai Sahib Pallivasal, Thituvillai, Kanniyakumari District (GS No. 95/KK) to the managing committee duly elected on 28.12.2025 by considering the petitioner's representation dated 14.01.2026 within the time that may be stipulated by this Court.



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For Petitioner : Mr.M.Mahaboob Athiff

For Respondents : Mr.S.A.Ajmal Khan

ORDER

This writ petition has been filed seeking a direction to the respondents to hand over charge and deliver possession of the records, accounts and all properties of Uthuman Lebbai Sahib Pallivasal, Thituvillai, Kanniyakumari District (G.S. No.95/KK), to the Managing Committee duly elected on 28.12.2025, by considering the petitioner's representation dated 14.01.2026, within a time frame to be stipulated by this Court.

2. Mr.S.A.Ajmal Khan, learned counsel, takes notice on behalf of the respondents. By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

3. The learned counsel appearing for the petitioner would submit that the petitioner is a member of Uthuman Lebbai Sahib Pallivasal, Thituvillai, Kanniyakumari District, which is a notified Waqf under G.S. No.95/KK. As per the Scheme framed for the said Waqf, it is to be administered by a Managing Committee consisting of nine members. The Waqf was taken over



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under direct management by the Board by resolution dated 31.05.2022 for a limited period. Since the said period has lapsed, elections were conducted on 28.12.2025 by the second respondent. Out of 29 contesting candidates, nine candidates, including the petitioner, who secured the highest number of votes, were declared elected. Thereafter, on 07.01.2026, in the meeting of the newly elected nine members, in the presence of the second respondent as Observer, five members were elected as office bearers. Though more than a month has elapsed since the election dated 28.12.2025, the charge has not been handed over to the newly elected Managing Committee, citing one reason or another. The delay in handing over charge to the democratically elected Managing Committee is prejudicial to the interests of the Waqf. The continued administration by the Board despite the conduct of elections is stated to be contrary to the Scheme of Administration. Therefore, the petitioner submitted a representation dated 14.01.2026 to the first respondent seeking handing over of charge. Since no action has been taken, the present writ petition has been filed.

4. The learned counsel appearing for the respondents would submit that the Waqf was earlier taken over by the Board due to disputes among the



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members. He would further submit that the election has now been conducted and a new Managing Committee has been elected.

5. Considering the submissions made on either side, it is not in dispute that the Waqf was taken over by the Board due to internal disputes among its members. It is also not in dispute that elections were conducted on 28.12.2025 and a new Managing Committee has been elected in accordance with the Scheme. Once the election has been conducted and the new Managing Committee has been duly elected, there is no justification for continuing the earlier arrangement, unless there exists any legal impediment or any order of a competent Court restraining the assumption of office by the newly elected Committee. No such impediment has been placed before this Court. In such circumstances, the first respondent is directed to give effect to the new management Committee elected in the election held on 28.12.2025 and to hand over charge, along with all records, accounts and properties of the Waqf, to the newly elected Managing Committee within a period of one week from the date of receipt of a copy of this order.



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6. Accordingly, the writ petition stands disposed of. No costs.

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NCC : Yes/No
Index : Yes / No
Internet : Yes / No
TSG

To

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KRISHNAN RAMASAMY,J.

TSG

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