



W.P(MD)No.5815 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated: 02.03.2026

CORAM

THE HONOURABLE MR JUSTICE D.BHARATHA CHAKRAVARTHY

**W.P(MD)No.5815 of 2026
and
WMP(MD) Nos.4847 and 4850 of 2026**

Nowshath

... Petitioner

Vs.

1.The Tamilnadu Waqf Board,
rep by its Chairman,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai.

2.The Chief Executive Officer,
Tamil Nadu Waqf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai.

3.The Chief Administrative Officer,
Tamil Nadu Waqf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai.

4.A.Hameedullah

5.The Special Committee for Hazrath Tableh Alam
Budushah Nathar Vali Dargah Waqf,
rep by its Member
M.Tajudeen,



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Trichy South,
Tiruchirappalli.

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6.Aftab Rasool

...Respondents

Writ Petition is filed under article 226 of the Constitution of India, praying to issue a Writ of Certiorari, calling for records relating to the impugned order made by the third respondent in Se.Mu.Aanai 7046/93/Aa5/Trichy dated 16.02.2026 and quash the same as illegal.

For Petitioner :Mr.M.Mahaboob Athiff

For R1 to R4 & R6 :Mr.K.Jeyamohan

ORDER

The writ petition is filed, challenging the impugned order dated 16.02.2026 passed by the third respondent.

2.Upon hearing the learned counsel for the petitioner and perusing the material records of the case, the grievance of the petitioner is that when a question arose as to the scheme and the manner in which the Muthavalli and other Office Bearers of the Waqf sought to be appointed, in view of the difference of opinion, the matter is referred to a Larger Bench and in the meanwhile, the Waqf Board is permitted to resume direct management and as per the same, it is only the Inspector of Waqf, who has to conduct all the festivals.



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3.While so, just because the Honourable Minister in his letterhead had recommended to appoint 5 persons as a part of the Committee, without even any jurisdiction to appoint a Committee, the third respondent had passed the impugned order.

4.According to the learned counsel for the petitioner, those 5 members are not even part of the Waqf. As a matter of fact, even the other 5 members are also not part of the Waqf. By portraying themselves as two groups, all of them got appointment through the back door. When the process of appointment of Muthavalli is subjudice, in the name of Adhoc Committee, these person should not be permitted to conduct the festival, such as Urs, which is going to start from today and also to perform the pious activities of making arrangement of the Nombukanji, Nombuthirappu, etc., during the month of Ramalan and this is one way of indirectly taking away the valuable rights of the persons, like the petitioner, who is entitled to be nominated as one Muthavalli from the Pangali faction.

5.*Per Contra*, the learned counsel appearing for the Waqf Board would submit that the Committee is only for the Adhoc purpose of assisting the Inspector of Waqf in celebrating the Urs festival and also carrying out the pious activities during the month of Ramalan. Once the Urus festival is over at



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the Ramalan month ends, thereafter absolutely there is nothing for the Committee to claim any right or to be in any manner associated with the management of the Waqf, which will be determined as per the Larger Bench reference. He would also submit that the Committee is already performing its work.

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

7.In order to determine the questions that are raised by the learned counsel for the petitioner, notice has to be issued to the fifth respondent, namely, the Special Committee and they have to be heard by this Court before concluding whether they have been appointed as per law or not. Since the festival is said to be commencing from today and it would practically become fait accompli, that would not serve even the interest of the petitioner.

8.I am of the view that when the third respondent had thought it fit to appoint a 10 member Committee, there is nothing wrong in including one member from the Pangali Group and also one member from the family, which is entitled to nominate the Hereditary Trustee, as in any event, they will be appointed as per law as Muthavalli.



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9.In view thereof, I am refraining from adjudicating the issues that are raised in the writ petition only considering the time constraint. None of the committee members can claim any right whatsoever on account of the appointment in the Committee and every question that is raised is kept open to be raised in an appropriate proceedings. Since the Committee itself is said to be only for the temporary purpose of conducting the Urs festival and to carry out the purpose during the Ramalan month, the same is not interfered, however, with a direction to the third respondent to forthwith nominate the petitioner herein and also one more member from the Hereditary family to be a part of the said Committee in carrying out the pious aspects. All the other contentions of the petitioner is kept open to be raised in an appropriate proceedings, if necessary, in future.

10.The Writ Petition stands disposed of, on the above terms. No costs. Consequently, connected Miscellaneous Petitions are closed.

02.03.2026

NCC : Yes / No

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