



WEB COPY

W.P(MD)No.6295 of 2



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 10.03.2026

CORAM

**THE HONOURABLE MR JUSTICE D.BHARATHA
CHAKRAVARTHY**

W.P(MD)No.6295 of 2026

Sajan

... Petitioner

Vs.

1.The Chief Executive Officer,
Tamil Nadu Wakf Board,
Wakf Board No.1,
Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai-600001

2.The Superintendent of Wakf
2nd Floor, Mosque Building,
Wakf Board No.1, Town Hall Road,
Madurai-625 001.

3.The President,
Umarali Jumma Pallivasal,
Kalainagar,
Madurai.

...Respondents

Writ Petition is filed under article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 and 2 to register the wakf namely the Umar (Rali) Jummah Masjid 1995, and execute and registered the order of the Tamil Nadu Wakf Board in Na.Ka.No. 11238/24/AAB/Madurai and Inam No.9/25 dated 17.04.2025.



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For Petitioner
For R1 and R2
For R3

:M/s.K.Veni
:Mr.D.S.Haroon Rasheed
Standing Counsel
:Mr.M.Mahaboob Athiff

ORDER

This writ petition is filed for a mandamus directing the 1st and 2nd respondents to register the waqf namely, the Umar(Rali) Jumma Masjid Pallivassal situated at Kalainagar, Madurai, under the Waqf Act 1995, execute and registered the order of the Tamil Nadu Waqf Board dated 17.04.2025.

2.The contention on behalf of the petitioner is that in the said area, number of Muslim families are there. Whiles, an unknown person donated the cost for purchasing the land and the mosque was constructed. The land and the mosque was constructed and now it is being used by all as a place of worship and also as a place of burial ground by all the Jamathars. While so there is mismanagement of the Waqf. Already a resolution has been passed to get enumerated and registered as a Waqf. However, the same is not given effect till date and therefore, the present writ petition is filed.

3.The learned counsel appearing on behalf of Waqf board would submit that it is true that already a resolution has been passed and they are in



the process of implementing the resolution. They are carrying out the said action based on the earlier direction of this Court in W.P.No.24916 of 2023.

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4.The learned counsel appearing on behalf of the third respondent would submit that the power of the Waqf Board to enumerate the waqf by way of user is no longer available in view of the amendment to the Act, which came into force by 08.04.2025 and therefore, the resolution that is said to have been passed on 17.04.2025 itself is without any legal backing. They were not served with the said copy of the resolution for them to agitate the same in the manner known to law. He also denies the various allegations made by the petitioner.

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

6.The contentions raised by the third respondent can also be raised before the Waqf or the Chief Executive Officer as the case may be. It is for the said authorities to consider the rival contentions of the parties.

7.In view thereof, this writ petition is disposed of on the following terms:

(i)The representation of the petitioner dated 25.01.2026 shall be taken



up for consideration by the first respondent.

(ii) Due notice shall be issued to the petitioner as well as the third respondent and any other persons interested in the Masjid, after hearing all the parties, further orders in accordance with the law shall be passed. If the matter is to be placed before the Waqf Board, the same shall be done.

(iii) The aforesaid exercise shall be completed within a period of 12 weeks from the date of receipt of web copy, without waiting for the certified copy.

(iv) It will be open for the third respondent to make such contentions before the respondents as also to take such other steps as may be open to them under law, if they are aggrieved by the resolution already passed. No costs.

10.03.2026

NCC: Yes/No
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D.BHARATHA CHAKRAVARTHY, J.

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