



W.P(MD)No.8055 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 25.03.2026

CORAM

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

W.P(MD)No.8055 of 2026

M.S.Mohammed Nymudeen

... Petitioner

Vs.

1. The Tamilnadu Wakf Board,
Through its Chief Executive Officer / Chairman,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai 600001.

2. Khajamiyan Wakf Estate,
Represented through its Mutawalli,
having office at,
No.5, Kajamaideen Shahib Street,
Palakarai,
Trichy - 8.

...Respondents

Prayer: Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus, directing the 1st respondent to take necessary steps for appointing the Mutawallis by election/selection in respect of Khajamiyan Wakf Estate, Trichy under Sec.63 of the Wakf (Amendment Act 2025) in consonance with the wakf deed dated 29.05.1946 on the basis of the petitioners representation



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dated 13.03.2026 and to pass such other further order or orders as this Honorable Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner :Mr.R.G.Shankar Ganesh

For R1 :Mr.K.Raja Mohan
Standing Counsel

ORDER

This writ petition is filed for a mandamus directing the 1st respondent to take necessary steps for appointing the Mutawallis by election/selection in respect of Khajamiyan Wakf Estate, Trichy under Section 63 of the Wakf (Amendment Act 2025) in consonance with the wakf deed dated 29.05.1946 on the basis of the petitioners representation dated 13.03.2026

2. Heard Mr.R.G.Shankar Ganesh, learned counsel appearing for the petitioner and Mr.K.Rajamohan, learned Standing Counsel, who takes notice on behalf of R1.



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3. Upon hearing the learned counsel for the petitioner and perusing the material records of the case, the grievance of the petitioner is that when the forefathers of the petitioner established the Wakf Board and dedicated it through the Wakf Deed dated 29.05.1946, the office of the Mutawalli was intended to be filled by 8 members from the family. However, as of now, only one Mutawalli remains in the position. Therefore, the petitioner has made a representation.

4. The learned counsel appearing for the Wakf Board submits that the proforma has not been attached for verification. If the position of Mutawalli is based solely on hereditary succession, then the selection should be made by recognizing the hereditary Mutawalli.

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

6. As rightly pointed out by the learned counsel for the Wakf Board, the proforma should be reviewed by the Wakf Board. If the



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succession to the office is indeed hereditary, further details should be sought from among the willing family members and they should be recognized as per the law. If the Mutawallis are to be selected from among the family members, then the relevant family members, or whoever is responsible under the Wakf Deed dated 29.05.1946 should be informed and the necessary steps should be taken to appoint the additional members.

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

- i. The respondents are directed to take up the representation of the petitioner dated 13.03.2026 for enquiry and pass appropriate orders in accordance with law;
- ii. The said exercise shall be completed within a period of 4 months from the date of receipt of a web copy of the order, without waiting for the certified copy of the order.
- iii. No costs.

25.03.2026



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NCC:Yes/No
rgm

To

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D.BHARATHA CHAKRAVARTHY, J.

rgm

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