



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26-03-2026

CORAM

THE HONOURABLE MRS JUSTICE S.SRIMATHY

WEB COPY

WP(MD) NO. 20997 of 2016 and

WMP(MD)No.15007 of 2016

S.Imtiyaz Ahmed,
Secretary / Mutawalli,
Syed Ali Basha Street Pallivasal,
Keelavasal,
Tanjore-613 001.

Petitioner(s)

Vs

1. The Tamil Nadu Information Commission
Rep. By Its Registrar
No.2 Thyagaraya Road
Eldams Road Junction
Teynampet, Chennai - 18.

2. S.Dawood Basha

3. The Public Information Officer
Office Of The Wakf Superintendent
No.27 Diwan Nagar
Court Road
Opp. To Jummah Pallivasal
Tanjore.

Respondent(s)

For Petitioner(s): Mr.S.A.Iniyavan Abdullah
for M/s.Ajmal Associates

For Respondent(s): Mr.K.K.Senthil For R1
No appearance for R2

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari calling for the records relating to the impugned order made by the 1st respondent in Case No. 31739/A/2014 dated 18.07.2016 and quash the same



as illegal.

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorari, to quash the impugned order made by the 1st respondent in Case No. 31739/A/2014 dated 18.07.2016.

2.The petitioner is the Secretary of Syed Ali Basha Street Pallivasal. The second respondent has filed an application before the Public Information Officer to issue details regarding Syed Ali Basha Street Pallivasal.

3.After considering the same, the 3rd respondent has replied that the relevant particulars are with the petitioner Waqf and they do not possess the relevant details. Therefore, the application was dismissed. Aggrieved over the same, the second respondent has preferred an appeal before the 1st respondent who had passed the impugned order directing the petitioner Waqf to provide all the relevant details. Aggrieved over the same, the present writ petition is filed.

4.The Aadheenam and Waqf are not coming within the purview of public authority. The said issue is no longer no longer res integra. This Court has already passed an order in W.P.(MD)No.13670 of 2021, dated 04.07.2022, in the case of ***The Dharmapuram Adheenam Vs. The Commissioner and 3 others*** wherein it is held



that Adheenam and Waqf are not coming under public authority, hence, Right to Information Act cannot be invoked.

WEB COPY

5. In the order passed in W.P.Nos.16567 of 2010 and batch, dated 01.10.2021, in the case of *Thiruvavaduthurai Adheenam and another Vs. The Secretary to Government*, and also in the order passed in 14623 of 2021 dated 02.08.2024, in the case of *Chanda Hussain Thaikal Waqf Vs. Tamil Nadu Wakf Board and 3 others* it is held that the Adheenam and Waqf will not come within the purview of Right to Information Act.

6. Therefore, following the said judgments, this Court is of the considered opinion that the impugned order directing the petitioner to provide information to the second respondent is illegal. Hence, the impugned order is set aside, as far as the first direction in paragraph 4(1) of the impugned order alone.

7. With the above observations, this Writ Petition is partly allowed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

26-03-2026

Tmg