

(W.P(MD)Nos.23652 & 23726 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.11.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)Nos.23652 & 23726 of 2025

and

W.M.P.(MD)Nos.18564, 18565, 18619 & 18620 of 2025

In W.P.(MD)No.23652 of 2025

R.Ali Masthan

... Petitioner

Vs.

- 1.The Tamil Nadu Waqf Board,
Rep.by its Chairman,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Mannady, Chennai-600 001.
- 2.The Chief Executive Officer,
Tamil Nadu Waqf Board,
No.1, Jaffer Syrang Street,
Vallal Street, Seethakathi Nagar,
Mannady, Chennai-600 001.
- 3.The Waqf Superintendent,
Sivagangai Zone,
Having Office at
Terppasaynam Road,
Velipattinam, Ramnadu.
- 4.N.Syed Mohammed Bukari
- 5.Kattuthalaivasal Muslim Jamath Pallivasal,



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at A1 Jamiul Munavar Masjid Waqf,
(G.S.No.235/RMD), Rep. by its President,
A.C.R.Naseer, No.21/74, Azad Street,
Kattuthalaivasal, Karaikudi-630 001,
Sivagangai District.

6.Muthupattinam Jamath Pallivasal,
(G.O.No.265/RMD) at Muthupattinam Jamia Masjid,
Rep. by its President Meera Ambalam,
Pallivasal Street, Muthupattinam,
Karaikudi-630 001, Sivagangai District.

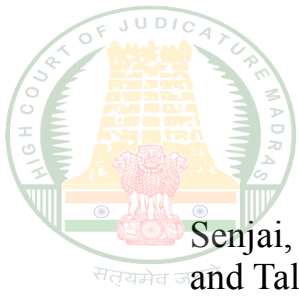
7.Meenakshipuram Mahaboobpalayam Muslim
Jamath Pallivasal (G.S.No.241/RMD)
Rep. by its President M.A.Muthalif,
Mahaboobpalayam-Meenakshipuram,
Karaikudi-630 001,
Sivagangai District.

8.Anna Nagar Pallivasal Alias Ahmad Julaiga,
Jumma Masjid, (G.S.NO.346/2024),
Rep. by its President Mohammed Ali Jinna,
No.1, Kasthuri Bai Street, Kamaraj Nagar,
Anna Nagra, Karaikudi-630 001,
Sivagangai District.

9.N.G.G.O.Pallivasal Alias Masjid Mohammadur,
Rasoolullah, Rep. by its J.Abdul Rehman,
Plot No.198, NGGO Colony, Kalanivsal,
Karaikudi-630 001, Sivagangai District.

10.College Road Pallivasal,
alias Masjidun-Noor (College Mosque Committee),
(G.S.No.TN/RMD/167/1979),
No.1, Subramaniyapuram 6th Street-South,
Karaikudi-630 003, Sivagangai District.

11.Senjai Muslim Jamath Pallivasal,
(G.S.No.275/RMD), Rep. by its President,
A.Raja Mohammed, C.M.C.Road,



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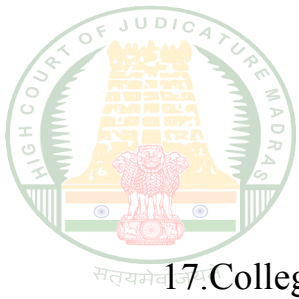
Senjai, Karaikudi Post,
and Taluk 630 001, Sivagangai District.

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12. Aliyarpuram Pallivasal,
alias Masjidus Samadiya Pallivasal,
(G.S.No.343/2023) Rep. by its President,
S.Fakir Mohammed, Aliyarpuram (Ganesapuram),
Municipal Street, Karaikudi-630 001,
Sivagangai District.
13. Arumuga Nagar (Amanath Nagar) Pallivasal,
alias AI-Noorul Jumma Pallivasal (G.S.No.302/2021)
Rep. by its President M.A.Abdul Rahman,
Plot No.52, G-Block Amaanath Nagar (Back side
to Arumuga Nagar Weekly Market),
Karaikudi-630 002, Sivagangai.

(R5 to R13 are impleaded vide Court order
dated 04.09.2025 in W.M.P.(MD)No.18822 of 2025
in W.P.(MD)No.23652 of 2025 by GRSJ)

14. Aliyarpuram Pallivasal
alias Masjidus Samadiya Pallivasal,
(G.S.No.343/2023/RMD) Rep by its President,
S.Nagoor Pitchai, No.10, Aliyarpuram,
(Ganesapuram), Municipal Street, Karaikudi,
Sivagangai District.
15. Kattuthalaivasal Muslim Jamath Pallivasal,
alias A1 Jamiul Munavar Masjid Waqf,
(G.S.NO.235/RMD), Rep. by its President,
N.Syed Mohamed Buhari, N0.10, Azad Street,
Kattuthalaivasal, Karaikudi-630 001,
Sivagangai District.
16. Senjai Muslim Pallivasal alias A1 Masjidun
Noor Pallivasal (G.S.No.275/RMD)
Rep. by its President K.Pakkir Mohammed,
C.M.C.Road, Senjai, Karaikudi, Sivagangai District.



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17.College Road Pallivasal,
alias Masjidun Noor College Mosque Committee,
(G.S.No.TN-RMD-167/1979), Represented by its
President S.Abdul Kabaar Khan No.1,
Subramaniyapuram 6th Street-South, Karaikudi-
630 003, Sivagangai District.

(R14 to R17 are suo motu impleaded vide Court order dated
04.09.2025 in W.P.(MD)No.23652 of 2025 by GRSJ) ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Certiorari, to call for the records pertaining
to the impugned order passed by the 2nd respondent in Se.Mu.Order.
14896/14/Aa11/Sivagangai dated 25.06.2025 and quash the same as illegal,
arbitrary.

For Petitioner : Mrs.A.Ajimath Begum

For Respondents : Mr.V.Raghavachari
Senior Counsel
for Mr.K.Jeyamohan
for R1 to R3

: Mr.M.Mahaboob Athiff
for R4, R6, R7 & R14 to R17

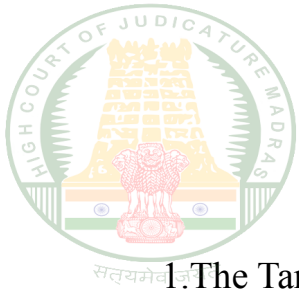
: Mr.S.Srinivasa Raghavan
for R8 to R13

In W.P.(MD)No.23726 of 2025

K.Sathikbatcha

... Petitioner

Vs.



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- 1.The Tamil Nadu Wakf Board,
Rep. by its Chairman,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Mannady, Chennai 600 001.
- 2.The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Mannady, Chennai 600 001.
- 3.The Wakf Superintendent,
Sivagangai Zone,
Having Office at Terppasayanam Road,
Velipattinam,
Ramnad.

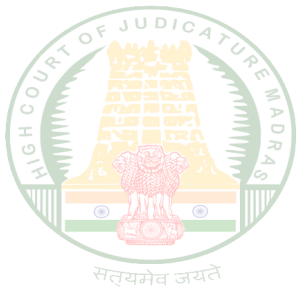
4.N.Syed Mohammed Bukari

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned proceedings passed by the 2nd respondent in Se.Mu.Order. No.14896/15/Aa11/Sivagangai dated 25.06.2025 and quash the same and consequently directing the 2nd respondent to grant approval to the petitioner and his other elected office bearers to administer and manage the wakfs viz., Bazaar Pallivasal, Muslim Kabarastan and Edga Thozhugai Palli Wakfs, Karaikudi, Sivagangai District in pursuant to the resolution dated 04.10.2024 passed by the Karaikudi Ikkiya Muslim Jamath Committee.

For Petitioner : Mr.M.P.Senthil
for Mr.A.Mohamedhaneef

For Respondents : Mr.V.Raghavachari



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Senior Counsel
for Mr.K.Jeyamohan
for R1 to R3

: Mr.M.Mahaboob Athiff
assisted by
Mr.A.Abdul Wahab
for R4

COMMON ORDER

Heard both sides.

2. The petitioner challenges the proceedings dated 25.06.2025 issued by the Chief Executive Officer of the Tamil Nadu Waqf Board recognizing and approving the Executive Committee of the Karaikudi Ikya Muslim Jamath Pallivasal for the period from 25.06.2025 to 24.06.2028. The said Jamath is a federation of as may as 9 Jamaths. They are as follows:-

(i) Kattuthalaivasal Muslim Jamath, G.S.No.235/RMD

(ii) Muthupattinam Jamath Pallivasal, G.S.No.265/RMD

(iii) Meenakshipuram Mahaboobpalayam Muslim

Jamath Pallivasal, G.S.No.241/RMD

(iv) Anna Nagar Pallivasal, G.S.No.346/2024

(v) N.G.G.O Pallivasal

(vi) College Road Pallivasal, G.S.No.TN/RMD/167/1979



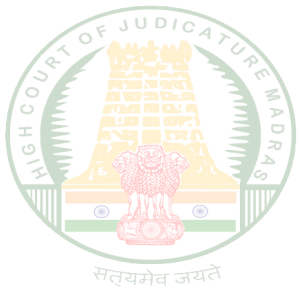
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(vii) Senjai Muslim Jamath Pallivasal, G.S.No.275/RMD

WEB COPY (viii) Aliyarpuram Pallivasal, G.S.No.343/2023

(ix) Arumuga Nagar (Amanath Nagar) Pallivasal, G.S.No.302/2021

3. The jurisdictional Waqf Inspector, Ramanathapuram issued notice on 02.08.2021 that election for the Karaikudi Ikya Muslim Jamath Pallivasal should be conducted after the executive committee of the constituent Jamaths are elected. As per the impugned proceedings, the election for Ikya Muslim Jamath Pallivasal took place on 17.09.2024. The specific stand of the writ petitioner is that on the said date, the election for Senjai Muslim Jamath Pallivasal had not been conducted. It is conceded by the waqf board also. Their stand is that some of the office bearers as per custom took part in the election that was held on 17.09.2024. I am not impressed with this explanation. When the waqf board had earlier specifically notified that the election for Ikya Muslim Jamath Pallivasal will be held only after elections of the constituent Jamaths are conducted, they cannot be allowed to depart from their stand that they had taken earlier. Be that as it may, there is considerable merit in the stand of the respondents that at the instance of a solitary member of one constituent Jamath, an election held for federation cannot be unsettled.



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4. This submission made by the contesting respondents is strongly contested by the learned counsel appearing for the petitioner. She would argue that the writ petitioner Ali Masthan was actually elected as secretary of Senjai Muslim Jamath in the election held on 29.09.2024. But the rival group claim that they were duly elected on 27.09.2024. The election that was held on 27.09.2024 was approved by the board. But the approval given by the board was set aside by this Court in W.P.(MD)No.23146 of 2025.

5. The matter rests there and no further development appears to have taken place. I do not want to go into that aspect at all. Unless Ali Masthan is able to show that he commands the majority of his jamath, his challenge will be construed only as that of a solitary member. To resolve this issue, this Court appoints *Mrs.Benazir Begum M.L., Enrl No.2821/2010, No.143, Lawyer's Chamber, Madras High Court, Madurai Bench, Madurai-625 023 (Mobile Nos. 9444700768 & 7010419198)* as Advocate Commissioner. There is consensus regarding the composition of the general body of Senjai Muslim Jamath.

6. The jurisdictional Waqf Inspector is directed to take over the record of the Senjai Muslim Jamath Pallivasal immediately. The Advocate Commissioner



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will peruse the subscription list. They will be considered as the members of the

general body for the present purposes. Announcement will be made in the

Senjai Muslim Jamath Pallivasal after the Friday prayers are over. On

19.12.2025, the General Body will be convened to determine whether

Thiru.Ali Masthan commands the majority for the purpose of mounting the

present challenge. Election will be held between 3.00 pm to 5.00 pm on the

said date. The votes will be counted immediately thereafter. The entire

proceedings will be duly videographed. The Advocate Commissioner seeks the

assistance of the jurisdictional police. They are obliged to provide the suitable

bandobust. If Ali Masthan is able to muster majority in his favour, the

impugned proceedings stand recalled. If Ali Masthan does not have majority

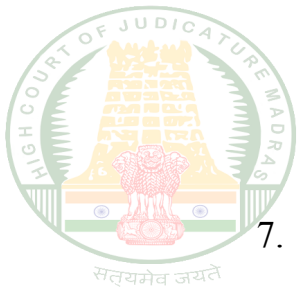
on his side, the impugned proceedings will hold good. The advocate

commissioner shall be paid remuneration of Rs.50,000/- which shall be borne

equally by the writ petitioner and the fourth respondent. Any further

expenditure incurred will be from out of the Jamath funds. The advocate

commissioner shall associate the jurisdictional waqf Inspector in all her acts.



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7. These Writ Petitions are disposed of accordingly. No costs.

Consequently, connected miscellaneous petitions are closed.

26.11.2025

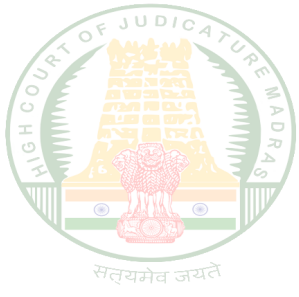
Index : Yes / No

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NOTE:Issue Order Copy on 02.12.2025

G.R.SWAMINATHAN, J.



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