



W.P.(MD)No.12129 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.08.2026

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.12129 of 2025
and WMP(MD).Nos.8939 & 8940 of 2025

V.Ilangovan

... Petitioner

Vs.

1. The District Collector,
Madurai District,
Madurai.

2. The Revenue Divisional Officer,
Melur,,
Madurai District.

3. The Tahsildar,
Melur Taluk,
Madurai District.

4. The Block Development Officer,
Melur,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the 2nd respondent vide his proceedings in



W.P.(MD)No.12129 of 2025

WEB COPY

Na.Ka.No.2782/2024/A1 dated 24.03.2025 and quash the same as illegal and direct the respondents to remove the unauthorized grave yard from the petitioner's property comprised in Survey No.87/2A3 to an extent of 1 acre 20 cents situated at Amoor Village, Melur Taluk, Madurai District.

For Petitioner : Mr.T.Indrachithu

For Respondents : Mr.I.Pinaygash
Special Government Pleader

ORDER

This petition has been filed seeking to call for the records pertaining to the impugned order passed by the 2nd respondent vide his proceedings in Na.Ka.No.2782/2024/A1 dated 24.03.2025 and quash the same as illegal and direct the respondents to remove the unauthorized grave yard from the petitioner's property comprised in Survey No.87/2A3 to an extent of 1 acre 20 cents situated at Amoor Village, Melur Taluk, Madurai District.

2. The learned counsel appearing for the petitioner submitted that the petitioner is claiming right over the property comprised in Survey No.87/2A3, measuring an extent of 1 acre and 20 cents. The petitioner is using the said land



W.P.(MD)No.12129 of 2025

WEB COPY

for cultivation. Originally, the said property belonged to the petitioner's father, who executed a Gift Settlement Deed in favour of the petitioner, vide Document No.2032/2019, dated 25.09.2019. When the petitioner attempted to survey and demarcate the property, he found that a graveyard existed within the petitioner's property. Aggrieved by the same, the petitioner approached the revenue authorities. The revenue authorities submitted that the villagers had been burying bodies in the petitioner's land from time immemorial. Consequently, a law-and-order situation arose, and a Peace Committee meeting was convened. In the Peace Committee meeting, it was decided to provide an alternative site adjacent to the petitioner's land in Survey No.87/4, which is classified as Government Tharisu. Hence, he seeks to quash the impugned order.

3. Heard the learned Special Government Pleader appearing for the respondents.

4. This Court is of the considered opinion that, when Government Tharisu land is available, it is unfortunate that bodies are being buried in the petitioner's land. Based on the agitation of the villagers, the respondents are



W.P.(MD)No.12129 of 2025

WEB COPY

attempting to exchange the lands by allotting the Government land to the petitioner and retaining the petitioner's land as a burial ground. In the considered opinion of this Court, instead of resorting to an exchange of the lands, the respondents shall permit the villagers to bury the bodies in the Government land situated in Survey No.87/4. The petitioner's land comprised in Survey No.87/2A3 shall be restored to the petitioner. Henceforth, no bodies shall be buried in the petitioner's land. If any bodies have already been buried in the petitioner's land, the existing burials shall not be disturbed, as there is no appropriate provision for the removal of the same. Therefore, the impugned order proposing the exchange of the lands is set aside.

5. The petitioner is at liberty to fence the land comprised in Survey No. 87/2A3. The respondents shall direct the villagers to bury the bodies only in the Government land comprised in Survey No.87/4.



W.P.(MD)No.12129 of 2025

WEB COPY

6. With the above directions, this Writ Petition is allowed.

Consequently, connected miscellaneous petitions are closed. No costs.

06.08.2026

Index : Yes / No

Internet : Yes

NCC : Yes / No

msrm

To

1. The District Collector,
Madurai District,
Madurai.
2. The Revenue Divisional Officer,
Melur,,
Madurai District.
3. The Tahsildar,
Melur Taluk,
Madurai District.
4. The Block Development Officer,
Melur,
Madurai District.



WEB COPY



W.P.(MD)No.12129 of 2025

S.SRIMATHY, J

msrm

**Order made in
W.P.(MD)No.12129 of 2025
and WMP(MD).Nos.8939 & 8940 of 2025**

06.08.2026