

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 04.07.2018

CORAM

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN
AND
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

WP.No.16521/2018

Abdulkani

..Petitioner

Versus

1 The District Collector
Perambalur District
Perambalur.

2 The Revenue Divisional Officer
Perambalur Taluk, Perambalur.

3 The Tahsildar
Perambalur Taluk and District,
Perambalur.

4 M.Rajaraman

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents to revert the entry in the revenue records pertaining to the land in S.No.158 Elambalur Village, Perambalur as Muslim Graveyard and consequently, direct the respondents herein to remove the encroachments in the land situated in S.No.158 of Elambalur Village, Perambalur by the 4th respondent herein within the time frame as may be stipulated by this Court.

For Petitioner : Mr.S.Venugopalraj

For RR 1 to 3 : Mr.A.N.Thambidurai, Spl.GP

ORDER

[Order of the Court was made by M.SATHYANARAYANAN, J.,]

By consent, the writ petition is taken up for final disposal. Mr.A.N.Thambidurai, learned Special Government Pleader accepts notice on behalf of the respondents 1 to 3.

2 The petitioner claims that he is a resident of Elambalur Village, Perambalur District and according to him, the land in S.No.158, admeasuring to an extent of 1.72 acres in the said village was originally used as a Graveyard for people professing Islamic faith and clandestinely, the records

have been changed and the present classification is "Kappi Salai".

3 The learned counsel for the petitioner has drawn the attention of this Court to the typed set of documents and would submit that on account of the said conversion, without notice to the persons concerned, the people professing the said faith are prevented from burying the bodies and in this regard, the petitioner has submitted a representation dated NIL to the Revenue Divisional Officer and their office, vide Communication dated 18.07.2017 in O.Mu.A4/4335/2017 has directed the 3rd respondent to look into the same and send the response to the petitioner with a copy marked to their office and though nearly one year had elapsed, nothing is happening and therefore, the petitioner is constrained to approach this Court by filing the present writ petition.

4 The Court heard the submissions of Mr.A.N.Thambidurai, learned Special Government Pleader appearing for the respondents 1 to 3 and perused the materials placed before it.

5 This Court, taking into consideration, the above facts and circumstances and without going into the merits of the claim projected by the petitioner either in his representation or in this writ petition, directs the 3rd respondent to act on the communication of the 2nd respondent dated 18.07.2017 in O.Mu.No.A4/4335/2017 and cause inspection of the land in S.No.158 in Perambalur District, with relevant records within a period of six weeks from the date of receipt of a copy of this order and depending upon the result of the said inspection, the 1st respondent shall take appropriate action in accordance with law, after putting the concerned persons within a further period of ten weeks thereafter and communicate the decision taken, to the petitioner as well as to the person/s concerned.

6 The writ petition stands disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

AP

To

- 1 The District Collector
Perambalur District
Perambalur.
- 2 The Revenue Divisional Officer
Perambalur Taluk, Perambalur.
- 3 The Tahsildar
Perambalur Taluk and District,
Perambalur.

+ 1 cc to Mr. the Government Pleader Sr.44025
+ 1 cc to Mr.S. Venugopal, Advocate Sr.43717

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RJ(CO)
EU(17/07/2018)



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