



1

W.P.(MD)NO.16153 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.07.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.16153 of 2024 AND

W.M.P.(MD)Nos.14040 & 14041 of 2024

S.Syed Ismail,
President,
Ismail Khan Ghorī Vagayara Jamath,
Seethakaathi Street,
Sammanthapuram,
Rajapalayam,
Virudhunagar District.

... Petitioner

Vs.

1. The Revenue Divisional Officer,
Revenue Divisional Office,
Sivakasi West,
Virudhunagar District.

2. The Tahsildar,
Taluk Office,
Rajapalayam,
Virudhunagar District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pursuant to the impugned order passed by the second respondent in Na.Ka.A1/6355/2201 dated 22.01.2024 and quash the same and consequently direct the second respondent to issue patta to the petitioner Vagayara for the land in Town Survey No.1, Block No.19, Ward-A, Seethakathi Street, Sammanthapuram Village, Rajapalayam Taluk.



For Petitioner : Mr.Lakshmi Gopinathan,
for M/s.Polax Legal Solutions.

For R-1 & R-2 : Mr.G.V.Vairam Santhosh,
Additional Government Pleader.

* * *

ORDER

Heard both sides.

2. The petitioner had questioned the impugned proceedings by filing an appeal before the Revenue Divisional Officer, Sivakasi. The case of the petitioner is that the petition mentioned land has been utilised as burial ground by the petitioner Jamath since time immemorial. It is also stated that the entries in the settlement records would bear this out. The petitioner approached the second respondent for issuance of patta. Instead of honouring the petitioner's request, what happened was something seriously adverse to the petitioner's interest. The petitioner's request has been rejected. The second respondent did not stop there. The second respondent went to the extent of holding that the burial ground shall be made open to all Muslims' sects and persuasions. Aggrieved by the same, the petitioner has gone before the first respondent. Serious questions have been raised by the petitioner.



WEB COPY



4

W.P.(MD)NO.16153 OF 2024

G.R.SWAMINATHAN,J.

PMU

W.P.(MD)No.16153 of 2024

22.07.2024