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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-06-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

**WP No. 17040 of 2022
and WMP No. 16345 of 2022**

1. K.Sait

Petitioner(s)

Vs

1. The District Collector
Collector Building,
Udhagamandalam,
Nilgiris District 643 001

2.The Revenue Divisional Officer
Office of The Revenue Divisional Officer,
Udhagamandalam

3.The Tahsildar
Udhagamandalam Taluk,
Udhagamandalam

Respondent(s)

PRAYER Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the impugned order of the 1st respondent dated 20.09.2021 vide proceedings in Se.Mu.No. U2/15844/



2019 and quash the same and consequently direct the 1st respondent to permit the petitioner's committee to conduct prayers during and festival and auspicious days.

For Petitioner(s): Ms.Anisha Rani

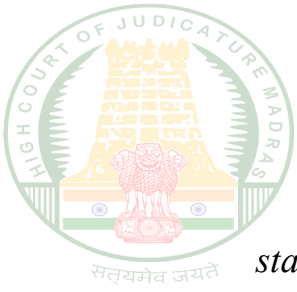
For Respondent(s): Mr.T.M.Rajangam
Government Advocate

ORDER

This writ petition has been filed challenging the proceedings of the 1st respondent dated 20.09.2021 and for a consequential direction to the 1st respondent to permit the Committee to conduct prayers during the festival and auspicious days in the subject property.

2.Heard Ms.R.Anisha Rani, learned counsel appearing on behalf of the petitioner and Mr.T.M.Rajangam, learned Government Advocate appearing on behalf of the respondents.

3.The 1st respondent has filed a counter affidavit and the relevant portions are extracted hereunder:



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8. *It is submitted that the general public had submitted statement to the Tahsildar, Ootacumund stating that after the year 1964, there was no prayers and religious activities in the Old Survey No.513, New Survey No.H/6/66 in Udhagamandalam (East) Village, Udhagamandalam taluk. It is pertinent to submit that a separate burial ground is allotted to the Muslim Community in Survey No.G/6/3 in Udhagamandalam (East), Udhagamandalam taluk, Nilgiris District, which is 500 meters away from the Deer Park.*

9. *It is submitted that the representation of the petitioner, report of the Tahsildar, Ootacumund and all other documents maintained in the Taluk Office and Village were duly considered by this respondent. In this regard, this respondent had already passed an order in Proc. No.U2/15844/2019 dated 17.09.2021 directing that in order to protect the Government Poramboke land to an extent of 0.06.43 Hectares in Survey No.H/6/66 of Udhagamandalam (East), Udhagamandalam taluk, Nilgiris District from encroachment in future, necessary entries may be made in Prohibition Order Book(POB) Register. Considering the above said facts, this respondent passed an order in Proc.No. U2/15844/2019 dated 20.09.2021 in which it was clearly stated that no permission can be granted to conduct prayers and religious*



activities on behalf of the petitioner Committee in Survey

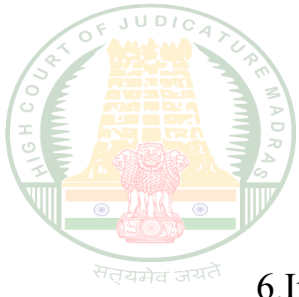
No.H/6/66 of Udthagamandalam (East), Udthagamandalam taluk,

Nilgiris District.

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4. On carefully reading of the impugned order and also the counter filed by the respondents, it is quite evident that no prayers or religious activities are being conducted after the year 1964. A separate burial ground has been allotted to the Muslim community in Deer Park. Since the subject property is a Government proramboke land, all steps are being taken to prevent any encroachment and that in the guise of conducting prayers and religious activities, the Committee is claiming right over the property and in order to avoid the same, the permission sought for by the petitioner was not granted.

5. This Court does not find any illegality in the order passed by the 1st respondent warranting interference of this Court. Admittedly, the petitioner is not claiming for any right. But however, the right to conduct prayer and religious activities in the property has been stopped long back and there are all chances that such permission given may result in persons squatting over the Government property.



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6. In the light of the above discussion, this Court does not find any ground to interfere with the order passed by the 1st respondent and accordingly, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

17-06-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

SSR



To
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N.ANAND VENKATESH J.

SSR

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