

W.P(MD)No.17050 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.09.2025

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

W.P(MD).No.17050 of 2021

S.Jaleel Mohammed

... Petitioner

Vs

1. The District Collector,
Sivagangai District, Sivagangai.

2. The Thasildar,
Ilayangudi Taluk, Ilayangudi,
Sivagangai District.

3. The Executive Officer,
Ilayangudi Town Panchayat, Ilayangudi,
Sivagangai District.

4. The Correspondent,
Hameediah School, Ilayangudi,
Sivagangai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Mandamus, directing the respondents 1
to 3 to take necessary action to recreate the oorani by way of removal of



W.P(MD)No.17050 of 2021

illegal encroachment in the nature of construction of compound wall and building made by the 4th respondent and others in the land comprised in Survey No.40/6 situated at Ilayangudi North Village, Ilayangudi Taluk, Sivagangai District in the light of the representation of the petitioner dated 04.08.2021 within a time frame as fixed by this Court.

For Petitioner : Mr.Prahalad Ravi B,

For Respondent : Mr.R.Raghavendran (R1-R3)
Government Advocate

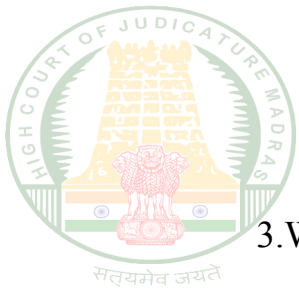
: Mr.Porkodikarnan (R4)

ORDER

[Order of the Court was made by G.R.SWAMINATHAN, J.]

Heard both sides.

2.The writ petitioner wants the authorities to take action to recreate the water body that was in existence in S.No.40/6 in Ilayangudi North Village.



W.P(MD)No.17050 of 2021

3. We are not in a position to grant the said relief for the simple reason that the issue had already been dealt with by the Hon'ble Division Bench of this Court in W.P(MD)No.20941 of 2019, dated 27.09.2019. Paragraph Nos.4 and 5 of the said order read as follows:

“4. Oral instruction given to the learned Government Advocate from the Officer of the second respondent is that the revenue entry in favour of the petitioner Jamath is wrong and the matter requires to be investigated as to how the entry was made in the name of the petitioner Jamath.

5. Admittedly, the school has been functioning for a quiet long period of years and in the representation given by the petitioner, it is stated that the School was started in the year 1935. Therefore, the respondent cannot dispute the said fact that the institution has been running for several years. Thus, as long as the revenue entry stands in the name of the petitioner Jamath, the respondents cannot take any high handed act and they are restrained from taking any high handed act against the petitioner Jamath.”

4. The learned Government Advocate also confirms that as on date the revenue record in respect of S.No.40/6 is in the name of the Jamath.



W.P(MD)No.17050 of 2021

WEB COPY

5.Hence the relief sought for cannot be granted. Accordingly, the writ petition stands dismissed. No costs.

[G.R.S., J.] [B.P., J.]

18.09.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
LR

To
1. The District Collector,
Sivagangai District, Sivagangai.

2. The Thasildar,
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Sivagangai District.

3. The Executive Officer,
Ilayangudi Town Panchayat, Ilayangudi,
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W.P(MD)No.17050 of 2021

G.R.SWAMINATHAN, J.
and
B.PUGALENDHI, J.

LR

W.P(MD).No.17050 of 2021

18.09.2025