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W.P.(MD)NO.35667 OF 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.12.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.35667 of 2025 AND

W.M.P.(MD)No.28264 of 2025

K.Pudur Muslim Jamath Pallivasal,
K.Pudur, Madurai
Rep. By its Secretary,
M.Amanullah,
S/o.Mohammed Hamsa,
Sankar Nagar, 14th Street, K.Pudur,
Madurai.

... Petitioner

Vs.

1. The District Collector /
Monitoring Committee,
Madurai District.

2. The Assistant Engineer,
Water Resources Department,
Irrigation Section-II, Madurai.

3. The Tamil Nadu Wakf Board,
Chennai,
Rep. by its Chairman.

4. C.Ramesh

... Respondents



Prayer: Writ petition filed under Article 226 of the Constitution of India, issuing a Writ of Mandamus, forbearing the respondents from interfering with the petitioner Jamath's peaceful possession and enjoyment of the land in T.S.No.82, Tallakulam Village, Madurai North Taluk, Madurai measuring to an extent of 1.40 acres to be utilized as burial ground with the existing shops numbering 22 constructed in area of 3000 sq.ft.

For Petitioner : Mr.S.Prabhu Rajadurai,
for Mr.S.Selva Aditya.

For Respondents : Mr.R.Baskaran,
Additional Advocate General,
assisted by,
Mr.M.Siddharthan,
Additional Government Pleader
for R-1&R-2.

Mr.D.S.Haroon Rasheed for R-3.

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ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Additional Advocate General assisted by the learned Additional Government pleader appearing for respondents 1 and 2 and the learned Standing counsel appearing for the Tamil Nadu Waqf Board.



2. The petitioner wants this Court to restrain the authorities from interfering with the petitioner's peaceful possession and enjoyment of the land in T.S.No.82, Tallakulam Village measuring around an extent of 1.40 acres.

3. Vide order dated **14.10.2025 in Cont.P.(MD)No.1987 of 2025 (C.Ramesh Vs. Mangat Ram Sharma, Secretary to Government, Chennai)**, the following direction was issued:-

“8. T.S.No.82, measuring an extent of 1.40 acres, is said to be used as a “Muslim burial ground”. While the burial ground shall not be disturbed, all the other constructions such as shops shall be demolished after issuance of notice and and the direction given in respect of T.S.No.73 & 75 will apply to T.S.No.82 also. This exercise shall be completed by the Department within a period of four months from the date of receipt of a copy of this order.”

4. When this direction earlier given by us is holding good, we would not be justified in issuing any contra direction. This writ petition is not maintainable. The petitioner will have to work out his



rights only in terms of the directions already issued. This writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
11th December 2025

NCC : Yes / No

Index : Yes / No

Internet : Yes/ No

PMU

To:

1. The District Collector /
Monitoring Committee,
Madurai District.
2. The Assistant Engineer,
Water Resources Department,
Irrigation Section-II, Madurai.



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