



W.P(MD)No.8247 of 2026

WEB CODE BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.03.2026

CORAM:

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR
and
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

W.P(MD)No.8247 of 2026

Jahir Hussain

... Petitioner

VS.

1.The District Collector,
Tirunelveli District.

2.The District Revenue Officer,
Tirunelveli District.

3.The Revenue Divisional Officer,
Palayamkottai, Tirunelveli District.

4.The Tahsildar,
Palayamkottai, Tirunelveli District.

5.The Chief Executive Officer,
The Tamil Nadu Waqf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Street,
Chennai.

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6.The Commissioner,
Tirunelveli City Corporation,
Tirunelveli District.

7.V.S.T.Amanullah

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents No.1 to 6 not to grant any permission or license to the seventh respondent or any other person to establish a burial ground (Kabristan) in Government Lands situated at S.No.1/1, and S. No.1/2 situated at Melapalayam Town, Palayamkottai Taluk, Tirunelveli District and maintain the lands as per the Government Revenue Records based on the petitioner's representations dated 08.01.2026 and 25.01.2026.

For Petitioner : Mr.RV.Rajkumar

For Respondents : Mr.A.Kannan (R1 to R4)
Additional Government Pleader

: Mr.S.A.Ajmal Khan (R5)

: Mr.Sivanu Pandian (R6)
Standing Counsel



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ORDER

(Order of the Court was made by **N.SATHISH KUMAR, J.**)

The petitioner has filed the present Writ Petition seeking a direction to respondents 1 to 6 not to grant any permission or licence to the seventh respondent or any other person to establish a burial ground (Kabristan) in the Government lands comprised in Survey Nos.1/1 and 1/2, situated at Melapalayam Town, Palayamkottai Taluk, Tirunelveli District, and to maintain the said lands in accordance with the Government revenue records, based on the petitioner's representations dated 08.01.2026 and 25.01.2026.

2.By consent of both parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

3.Mr.A.Kannan, learned Additional Government Pleader, accepts notice for the respondents 1 to 4; Mr.S.A.Ajmal Khan, learned counsel, accepts notice for the fifth respondent; and Mr.Sivanu Pandian, learned



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Standing Counsel, accepts notice for the sixth respondent. Considering the limited relief sought by the petitioner, notice to the seventh respondent is dispensed with.

4.It is the contention of the petitioner that the seventh respondent and his family members are attempting to illegally encroach upon the Government lands in order to establish a burial ground (Kabristan) for their own convenience. It is further contended that the seventh respondent is attempting to encroach upon and obstruct the public pathway leading to Annai Hajira College and the banks of Kannimarkulam, and by merging the Thaikka land with the waterbody, they intend to create a large burial ground within a residential area. According to the petitioner, establishment of a burial ground at the said location would pose serious risks, including pollution of groundwater, which is the primary source of water for residents and worshippers at the Thaikka, and may also result in public health concerns and environmental degradation in a densely populated area. It is further stated that a portion of the land in Survey No.1/2



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is associated with Gnaniyar Sahib Thaikka and constitutes wakf property, and that any such conversion by the private respondent would be in violation of revenue as well as wakf laws. In this regard, the petitioner submitted a representation dated 25.01.2026 before the authorities concerned. As the same has not been considered thus far, the present Writ Petition has been filed.

5.The learned counsels appearing for respondents 1 to 6 submitted that the petitioner's representation dated 25.01.2026 would be considered by the authorities concerned, on merits and in accordance with law, within the time stipulated by this Court.

6.Considering the facts and circumstances of the case, and without expressing any opinion on the merits of the petitioner's claim, this Court directs the authorities concerned to consider the petitioner's representation dated 25.01.2026 and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of personal hearing



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to the petitioner, the seventh respondent, as well as any other interested parties. Such exercise shall be completed within a period of three months from the date of receipt of a copy of this order.

7. With the above directions, this Writ Petition stands disposed of. No costs.

[N.S.K.,J.] [M.J.R.,J.]
27.03.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes
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ORDER MADE IN
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