



W.A.(MD)No.107 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.01.2026

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HONOURABLE MRS.JUSTICE R.KALAIMATHI

W.A(MD)No.107 of 2019

and

C.M.P(MD)Nos.777, 7778 & 4350 of 2019

Good Shepherd Matriculation School,
Represented by its Correspondent
Fr.John Sibi,
Simon Colony,
Coalchel, Kodimunai Post,
Kanyakumari District – 629 251.

... Appellant /
Writ Petitioner

Vs.

- 1.The District Collector,
Collector Office Campus,
Nagercoil,
Kanyakumari District.
- 2.The Revenue Divisional Officer,
Padmanabhapuram,
Thuckalay,
Kalkulam Taluk,
Kanyakumari District.
- 3.The Tahsildar,
Kalkulam Taluk,



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Thuckalay,
Kanyakumari District.

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4.The Directorate of Matriculation School,
College Road,
Chennai – 600 006.

... Respondents /
Respondents

Prayer: Writ Appeal filed under Clause 15 of Letters Patent to allow this
Writ Appeal by setting aside the order dated 22.01.2019 in W.P(MD)No.
242 of 2019 on the file of this Court.

For Appellant : Mr.T.Lajapathi Roy
Senior Counsel
for Mr.S.Seenivasan

For Respondents : Mr.T.Amjad Khan
Government Advocate

JUDGMENT

(Judgment of the Court was made by G.R.Swaminathan J.)

Heard both sides.

2.The writ petitioner is the appellant herein. The writ petitioner is a matriculation school. It is a minority institution. The writ petitioner appears to have been in occupation of 2.5 acres of land adjacent to the school. They approached the District Collector, Kanyakumari seeking



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assignment of the said land. The District Collector, Kanyakumari vide order dated 10.12.2018, rejected the request of the petitioner. He also directed that the petitioner should be evicted from the said land. Aggrieved by the same, W.P(MD)No.242 of 2019 was filed. The writ petition was dismissed by the learned single Judge on 22.01.2019. While dismissing the writ petition, the learned single Judge directed that the School itself should be re-located. Aggrieved by the said outcome, this writ appeal has been filed.

3.The learned senior counsel appearing for the writ appellant is justified in his contention that the learned Judge need not have issued directions beyond the scope of the writ petition. When the petitioner approached this Court seeking assignment of land, by giving a direction to relocate the school itself, the petitioner has been put in a worse condition. We therefore set aside the directions set out in paragraph 14 of the order dated 22.01.2019 passed in W.P(MD)No.242 of 2019. As regards the order of the District Collector, we are of the view that the petitioner, if aggrieved, may very well file an appeal before the Government.



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4. With such liberty to the writ petitioner, this Writ Appeal is partly allowed. No costs. Consequently, connected miscellaneous petitions are closed.

[G.R.S., J.] [R.K.M, J.]

05.01.2026

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NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
MGA

To

1. The District Collector,
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G.R.SWAMINATHAN,J.

AND

R.KALAIMATHI, J.

MGA

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