



W.P.No.26350 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 27.06.2025

CORAM

THE HONOURABLE MR.JUSTICE **M.SUNDAR**
and
THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

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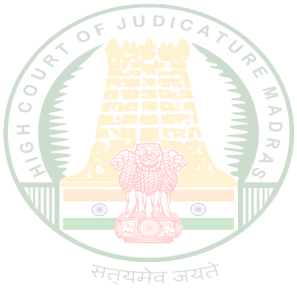
A.Balu @ Babu
S/o.Late Angamuthu

... Petitioner

VS.

1. The District Collector
District Collector Officer
Ranipet,
Ranipet District.
2. The Revenue Divisional officer
Revenue Divisional Office
Ranipet,
Ranipet District.
3. The Tahsildhar
Tahsildhar Office
Sholingur
Ranipet District.
4. The Village Administrative Officer
Velamputhur Village
Sholingur Taluk
Ranipet District.
5. The Taluk Survey Officer

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VAO Office
Velam, Sholinghur Taluk
Ranipet District.

6. The Executive Engineer
Public Works Department
Ranipet District.
7. The Block Development Officer,
Sholingur Union
Ranipet District.

... Respondents

*** R7 suo-motu substituted vide order dated 27.06.2025
in W.P.No.26350 of 2024**

Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, forbearing the respondents 1 to 6 from permitting anyone to bury dead bodies or burn dead bodies in S.No.260, Velam Village, Sholinghur Taluk, Ranipet District, classified as "Kaanaaru" and remove the encroachments by considering the petitioner's representation dated 12.03.2023.

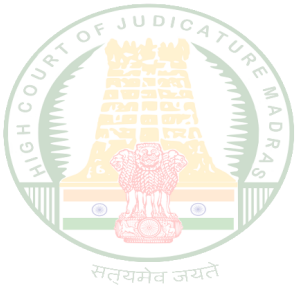
For Petitioner : Mr.C.Harish
For Respondents : Mr.K.Suresh
Government Advocate

ORDER

[Order of the Court was made by **M.SUNDAR J.**]

This order has to be read in conjunction with and in continuation of earlier proceedings made by Hon'ble predecessor Division Bench in the listing on 10.09.2024 which reads as follows:

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THE HON'BLE ACTING CHIEF JUSTICE

and

P.B.BALAJI, J..

Mr.T.K.Saravanan, learned Government Advocate, accepts notice on behalf of the respondents and he seeks time to get instructions in this matter.

List after twelve weeks.'

2. Today, Mr.K.Suresh, learned Government Advocate, submits that the tenure of R7 has since elapsed and now the Block Development Officer, Sholingur Union, Ranipet District is in-charge of the administration of the Village Panchayat concerned. Therefore, we suo-motu substitute the Block Development Officer, Sholingur Union, Ranipet District as R7 in the place of existing R7 [The President, Velampudur Village Panchayat, Velampudur Village, Sholinghur Taluk, Ranipet District]. Registry to carry out the above substitution qua R7 in the case file.

3. Learned State Counsel accepts notice for the substituted R7 also.

4. Mr.C.Harish, learned counsel on record for writ petitioner and Mr.K.Suresh, learned State Counsel for all the respondents consented for having the main writ petition taken up and heard out.

5. Subject matter of the main writ petition is S.No.260 Velam Village,

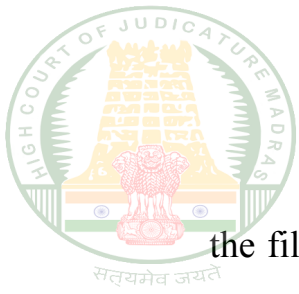


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Sholingur Taluk, Ranipet District, which is classified as 'Kaanaaru'

[காணாறு] and therefore, the same shall hereinafter be referred to as 'said riverbed' for the sake of brevity, convenience and clarity.

6. Learned counsel for the writ petitioner submits that the writ petitioner owns 'lands in (i) S.F.No.251/2, total extent of 0.15.0 ares, 0.37 1/2 cents, (ii) S.F.No.251/4, total extent of 0.12.50 ares, 0.31 cents (iii) S.F.No.251/1B, total extent of 0.05.5 ares, 0.14 cents, (iv) S.F.No.251/2, total extent of 0.05.0 ares, 0.12 1/2 cents, (v) S.F.No.257/3A, total extent of 0.05.5 ares, 0.14 cents (vi) S.F.No.259/2, total extent of 0.03.0 ares, 0.07 1/2 cents (vii) S.F.No.259/3A, total extent of 0.01.5 ares, 0.04 cents (viii) S.F.No.259/1B, total extent of 0.04.5 ares, 0.11 cents (ix) S.F.No.259/4B, total extent of 0.09.0 ares, 0.22 1/2 cents (x) S.F.No.259/5A, total extent of 0.02.5 ares, 0.06 cents and (xi) S.F.No.252/4, total extent of 0.11.0 ares, 0.27 1/2 cents all the survey number total extent of 1.87 1/2 cents and S.F.No.251/1, total extent of 0.06.0 ares along with well etc., in Velam Village, Walaja Taluk, Ranipet District' {hereinafter 'petitioner's said lands' for the sake of brevity, convenience and clarity}. Learned counsel submits that as regards petitioner's said lands, two suits namely, O.S.No.6 of 2022 on



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the file of the District Munsif Court, Walajapet and O.S.No.128 of 2022 on

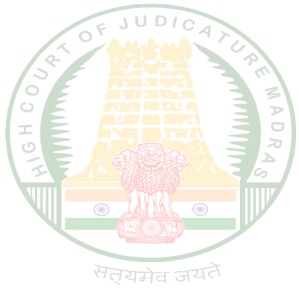
the file of the Sub-Court, Ranipet have been filed and the same are pending.

Learned counsel submits that while the former suit is *inter alia* for bare injunction and the latter is *inter alia* for declaration of title.

7. We make it clear that these suits will proceed on their own merits and in accordance with law untrammelled by this order as this order pertains to said riverbed (S.No.260).

8. The crux and gravamen of the complaint of the writ petitioner is, burial is said to be taking place in the said riverbed.

9. Learned counsel for writ petitioner submits that a riverbed cannot be used for burial. Responding to this, learned State Counsel submitted that a proposal to allot an alternate site adjacent / near the said riverbed and delineate the same for burial is being explored. Learned State Counsel submits that this exercise will be completed as expeditiously as the business of the official respondents would permit but in any event within twelve weeks from today i.e., on or before 19.09.2025. We are of the considered view that recording the stated position of learned State Counsel will suffice for giving closure to the captioned WP. We do so.



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10. Captioned WP is disposed of as closed albeit preserving all rights and contentions of the writ petitioner to come to this Court again if there is inaction on the part of the State i.e., inaction qua aforementioned stated position of learned State Counsel.

Captioned WP is disposed of in the aforesaid manner. There shall be no order as to costs.

(M.S.J.,)

(H.C.J.,)

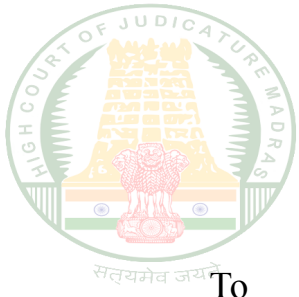
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Index : Yes / No

Neutral Citation : Yes / No

Speaking / Non-speaking

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**M.SUNDAR, J.,
and
HEMANT CHANDANGOUDAR, J.,**

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