



WP CrI. No. 1557 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-07-2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

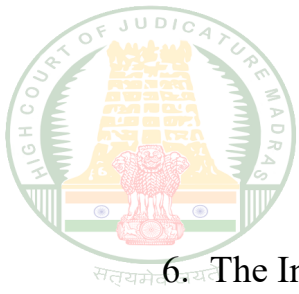
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Kiruthika

..Petitioner

Vs

1. The Director General of Police
Office of The Director General of Police,
Head of Police Force Govt. of Tamil Nadu
Dr.Radhakrishnan Salai,
Mylapore, Chennai.
2. The Director of Medical Education
Directorate of Medical Education,
162, Periyar E.V.R.High Road
Kilpauk, Chennai.
3. The Inspector General West Zone
Race Course Road,
Thomas Park, Race Course,
Coimbatore.
4. The District Collector
Collectorate Building,
Coimbatore.
5. The Superintendent of Police
The Superintendent of Police Office,
State Bank Road, Gopalapuram,
Coimbatore.

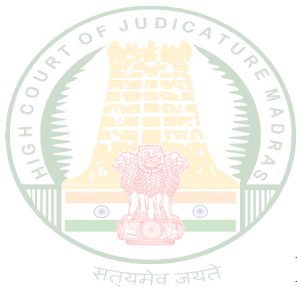


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6. The Inspector of Police
National Highway 47,
KG Chavadi,
kandegoundan Chavadi Police Station,
Coimbatore.
7. The Dean
Office of the Dean Coimbatore,
Government Medical College Hospital,
Coimbatore.
8. The Deputy Superintendent of Police
Perur Sub-Division,
Somayampalayam,
Vadavali,
Coimbatore.

..Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of mandamus directing the respondent No.4 to exhume the remains of my late Grandfather Mr.Moorthy @ Ramanatha Moorthy Swamigal son of Muniyappa Mudhaliyar, from the Sree Ramanantha Moorthy Swamygal Charitable Trust, Situated at No.1/14, Vinayagar Kovil Street, Palakkadu Main Road, Navakarai Post, Coimbatore, and direct the respondents No.2 and 7 to conduct a postmortem by a team of two doctors who have masters degree in Forensic Medicine attached to two different Medical College Hospitals in the state at the 7th respondent hospital, adhering to the norms and directions of this Honourable High Court in W.P.(MD) No.12608 of 2020 dated 02.12.2020, in Santhosh Vs District Collector, Madurai, within a stipulated time and consequently direct the respondent Nos.2 & 7 to provide a copy of the said post mortem certificate along with the copy of the videographs of the said proceedings to the petitioner on the same day that the postmortem is conducted.



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For Petitioner:

Mr.M.Aravind Subramanian, Senior Counsel
Asst.by Mr.P.Kavin Prabhu

For Respondents:

Mr.R.Ganesh Kumar
Counsel for Government of Tamil Nadu (CrI.Side)

ORDER

This Writ Petition (Criminal) has been filed seeking a direction to the fourth respondent to exhume the remains of the petitioner's grandfather, viz., Moorthy @ Ramanatha Moorhty Swamigal.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

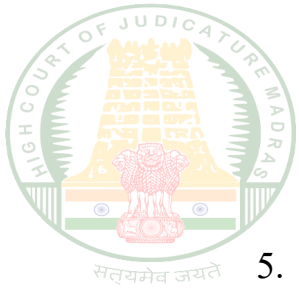
3. The petitioner is the granddaughter of the deceased, Moorthy @ Ramanatha Moorhty Swamigal. It is stated that the deceased had two wives. He gave birth to four daughters through his first wife. The petitioner is the daughter of one of the daughters born through the first wife. According to the petitioner, there is a dispute between among the legal heirs with regards to the property of the deceased. While being so, the petitioner's grandfather died on 06.09.2024. It is the case of the petitioner that even before her arrival, the body was buried as per the instructions of the legal heirs of the second wife. The petitioner and her family members were not informed about the burial of her



grandfather. Further, the petitioner is also suspected the nature of his demise.

Thereafter, on 29.04.2025, nearly eight months after the burial, the petitioner lodged a complaint alleging that she has some suspicious reason on the death of her grandfather and as such, she requested the respondents to exhume the body of the deceased and conduct a postmortem.

4. The learned Senior Counsel appearing for the petitioner submitted that the respondent failed to follow the prescribed procedure while burying the body of the petitioner's grandfather, since the burial was allegedly conducted near a temple. However, it is seen that the complaint seeking exhumation was lodged only after a lapse of nearly eight months from the date of burial. Thereafter, the petitioner filed the present writ petition only in the month of November 2025. Therefore, there is no chance for any remains of the dead body after two years. That apart, there is a property dispute between the legal heirs of the deceased. In order to resolve the said dispute, the petitioner has indirectly filed the present writ petition under the guise of alleging suspicious circumstances surrounding the death of her grandfather and the body was buried near the temple.



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5. In view of the above, the direction sought for in this petition cannot be granted. Thus, the writ petition lacks merit and is liable to be dismissed.

Accordingly, this Writ Petition (Criminal) stands dismissed. No costs.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

LPP

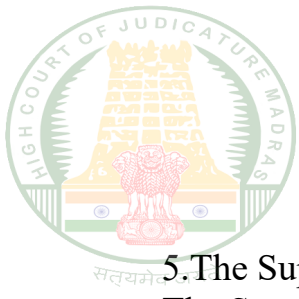
To

1.The Director General of Police
Office of The Director General of Police,
Head of Police Force Govt. of Tamil Nadu Dr.Radhakrishnan Salai,
Mylapore, Chennai.

2.The Director of Medical Education
Directorate of Medical Education,
162, Periyar E.V.R.High Road
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3.The Inspector General West Zone
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Collectorate Building,
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5. The Superintendent of Police
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Government Medical College Hospital,
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8. The Deputy Superintendent of Police
Perur Sub-Division,
Somayampalayam,
Vadavali,
Coimbatore.

9. The Public Prosecutor,
High Court of Madras,
Chennai.



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G.K.ILANTHIRAIYAN J.

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