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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.01.2026

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
and
THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

W.P.(MD) No.1644 of 2026
and
W.M.P.(MD) No.1309 of 2026

M.Kathiresan ... Petitioner

-vs-

1.State of Tamil Nadu
rep.by its Principal Secretary
Department of Rural Development
and Panchayat Raj
Secretariat, Chennai-9

2.State of Tamil Nadu
rep.by its Additional Chief Secretary
Department of Revenue and
Disaster Management
Secretariat, Chennai-9

3.The District Collector
Collectorate, Theni District

4.The Revenue Divisional Officer
Uthamapalayam Taluk
Theni District

5.The Tashildar
Theni, Theni District

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6.The Assistant Director of
Town Panchayats
Collectorate, Theni District

7.The Kuchanur Town Panchayat
rep.by its Chairman
Kuchanur, Uthamapalayam Taluk
Theni District ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus directing the respondent No.3 to drop the proposal of constructing the Electric Crematorium at AWD Land in Survey No. 374, Kuchanur Village, Uthamapalayam Taluk, Theni District, by considering the representation submitted by the Petitioner's villagers dated 31.12.2025 within the time frame stipulated by this Court.

For Petitioner : Mr.P.Muthuvijayapandian

For Respondents : Mr.P.Thilakkumar
Government Pleader

O R D E R
[Order of the Court was made by DR.G.JAYACHANDRAN, J.]

This public interest litigation is filed by the petitioner challenging the proposal of the respondents to construct an electric crematorium in AWD land in Survey No.374 of Kuchanur Village, Uthamapalayam Taluk, Theni District.

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2. Learned counsel for the petitioner submits that the subject land, wherein the electric crematorium is proposed to be constructed, is at the southwest corner of the village and normally, crematoriums will be formed at the northeast corner of the village. Further, already, there is a crematorium at the northeast corner of the village. However, instead of modernizing the existing crematorium, the respondents have chosen the subject land for construction of the electric crematorium at the southwest corner of the village. Further, the proposed site is nearer to the Arulmigu Saneeswara Bagavan Temple and when there is a practice of burying the dead bodies, construction of electric crematorium is against the custom being followed by the residents of the said village.

3. Mr.P.Thilakkumar, learned Government Pleader, who takes notice for the respondents, on instructions, submits that pursuant to the directions issued by the National Green Tribunal, the Government has proposed to establish an electric crematorium in the subject village and in order to prevent the other villagers from availing the facility of the modernized electric crematorium, this writ petition has been filed.

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4. On perusal of the records, this Court finds no merit in this writ petition and this Court is also able to visualize that this writ petition has been filed with an ulterior motive to prevent the Government from establishing a modernized crematorium to avoid air pollution. Therefore, this Court is not inclined to entertain this public interest litigation.

5. Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[G.J., J.] [N.S., J.]

23.01.2026

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

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To:
1.The Principal Secretary,
Department of Rural Development
and Panchayat Raj,
State of Tamil Nadu,
Secretariat, Chennai-9.

2.The Additional Chief Secretary,
Department of Revenue and
Disaster Management,
State of Tamil Nadu,
Secretariat, Chennai-9.

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6.The Assistant Director of
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7.The Chairman,
Kuchanur Town Panchayat,
Kuchanur, Uthamapalayam Taluk,
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