

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.08.2015

CORAM

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

W.P.No.25728 of 2015

and M.P.No.1 of 2015

1.Chinnapaiyan
2.Duraisamy
3.K.Kuppusamy

... Petitioners

-Vs-

1.The District Collector,
Salem District, Salem.

2.The Revenue Divisional Officer,
Salem District, Salem.

3.The Tahsildar,
Salem District, Salem.

4.P.Ganesh

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the respondents 1 to 3 to permit the petitioners to carry the dead bodies using the pathway to the burial ground situated in Survey No.10/8 and 10/9 in Nochipatti Periagoundanpalayam Village, Salem District in light of the proceedings of the 2nd respondent in Na.Ka.5815/2014/A2 dated 14.03.2015 and consequently to take appropriate action against the 4th respondent in light of the petitioners' representation dated 28.07.2015.

For Petitioners : Mr.K.S.Karthik Raja
For Respondents : Mrs.P.Rajalakshmi,
Government Advocate (R1 to R3)

ORDER

The petitioners are said to be the members of the Scheduled Tribe Community. The grievance of the petitioners is that the petitioners' community persons, at the instance of the respondent no.4, are not allowed to use the pathway to carry the dead bodies through the Survey Nos.10/8 and 10/9 in Nochipatti Periagoundanpalayam Village.

2.The learned counsel for the petitioners submitted that the said action is contrary to the decision arrived at in the peace committee meeting on 14.03.2015. The learned counsel further submitted that taking into consideration the pendency of the representation, the respondent no.2 may be directed to look into the same and dispose of the same.

3.Considering the above facts, a direction is issued to the respondent no.2 to pass appropriate orders on the representation dated 28.07.2015, within a period of eight weeks from the date of receipt of a copy of this order, after affording opportunity to the petitioners as well as to the respondent no.4.

4.The Writ Petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

-s/d-

Assistant Registrar(CSII)

dt:04/09/2015

True Copy

Sub-Assistant Registrar

va

To

1.The District Collector,
Salem District, Salem.

2.The Revenue Divisional Officer,
Salem District, Salem.

3.The Tahsildar,
Salem District, Salem.

+1 cc to Mr.K.S.Karthik Raja Advocate sr.43896

+1 cc to Government Pleader vide sr.44171

W.P.No.25728 of 2015
and M.P.No.1 of 2015

aa07/09/2015