

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.09.2015

CORAM

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

W.P.No.27426 of 2015
and M.P.No.1 of 2015

P.Velmurugan

... Petitioner

-Vs-

1.The Sub Collector,
Gobi-Sathy Main Road,
Gobichettipalayam - 638 452.

2.The Assistant Director of Panchayats,
District Collectorate Building,
Erode - 638 011.

3.The Block Development Officer,
Gobichettipalayam Taluk,
Erode District.

4.The President,
Kugalur Town Panchayat,
Gobichettipalayam Taluk,
Erode District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the respondents to consider the representation letter dated 24.08.2015 and consequently forbearing the respondents in constructing cremation for burying or burning in the land in S.No.861/4A at Kugalur Village, Gobichettipalayam Taluk, Erode District.

For Petitioner : Mr.S.Sivanandam

For Respondents: Mr.S.Pattabiraman,
Government Advocate (R1 & R2)
Mr.Suryanarayanan (R3 & R4)

O R D E R

The petitioner claims to be residing at No.13/2, Thaniarpandal Pudur Road, Kugalur Village, Gobichettipalayam Taluk, Erode District. The grievance of the petitioner appears to be that the respondent no.4 has put up a board stating that the land in Survey No.861/4A shall be used for new crematorium and work has been started. According to the petitioner, the proposed use of the crematorium is contrary to law, especially violation of Rule 7 (3) (a) and 7(4) of the Tamil Nadu Panchayats (Provision of burial and burning grounds) Rules, 1999. Thus, the petitioner made a

complaint/representation to the respondent nos.1 & 2 in this regard. On its non consideration, the present Writ Petition has been filed.

2.Taking into consideration the pendency of the representation with the respondent nos.1 & 2, a direction is issued to the respondent nos.1 & 2 to look into the grievance of the petitioner and the complaint dated 24.08.2015 and pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order, after affording opportunity to the petitioner as well as to the respondent no.4.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

va
To

- 1.The Sub Collector,
Gobi-Sathy Main Road,
Gobichettipalayam - 638 452.
- 2.The Assistant Director of Panchayats,
District Collectorate Building,
Erode - 638 011.
- 3.The Block Development Officer,
Gobichettipalayam Taluk,
Erode District.

+1cc to Mr.S. Sivanandam, Advocate, S.R.No.47216
+1cc to M/s.D. Suryanarayanan, Advocate, S.R.No.47787
+1cc to the Government Pleader, S.R.No.47666

RSI (CO)
EU(16/09/2015)

W.P.No.27426 of 2015
and M.P.No.1 of 2015