

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.11.2015

CORAM

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH

W.P. No. 35577 of 2015

&

M.P. No. 1 of 2015

R. Chitraleka

..Petitioner

Vs.

1. The State of Tamil nadu,  
rep. by the Secretary,  
Home Department,  
Fort St. George,  
Chennai - 600 009.
2. The District Collector,  
Collectorate, Cuddalore.
3. The Tahsildar,  
Panruti.
4. The Village Administrative  
Officer,  
Panappakkam Village,  
Panruti Taluk,  
Cuddalore District.
5. The President,  
Panappakkam Village Panchayat,  
Panappakkam,  
Panruti Taluk,  
Cuddalore District.
6. The President,  
Varinjippakkam Village Panchayat,  
Varinjippakkam,  
Cuddalore District.

..Respondents

Prayer : Petition under Article 226 of the Constitution of India praying for issue of a Writ of Mandamus directing the respondents to prevent the use of S.No.103/2 in Panappakkam Village, Panruti Taluk, Cuddalore District as cremation ground as per the representation of the petitioner dated 19.06.2015.

For Petitioner : Mrs. Hema Sampath,  
Senior Counsel for  
Mrs.R. Meenal

For Respondents: Mr.V. Subbiah  
Special Govt. Pleader

O R D E R

Mr.V. Subbiah, learned Special Government Pleader takes notice for respondents. By consent, the main writ petition itself is taken up for final disposal.

2. The petitioner is said to be residing at No. 1173/AA, Va Vu Chi Street, Chennai Road, Panappakkam Village, Panruti and she owns 13 acres and 18 cents of agricultural land in S.No. 32/3B in the said village. The grievance of the petitioner is that though there is an alternative burial ground available in S.No. 57/2, general public are being allowed to use S.No. 103/2, which is surrounded by patta lands and which is situated to the east of the petitioner's land, as cremation ground, thereby affecting the agricultural operations in the surrounding patta lands, leading to unwanted quarrels. The petitioner made a representation in this regard to the Sub Collector, Cuddalore. But, no action has been taken so far. Hence, the present writ petition.

3. Learned Senior Counsel for the petitioner would submit that though the document filed in the typed set of papers would show that representation has been given to the Sub Collector, in fact, representations have been given to all the authorities concerned.

4. Be that as it may. The records reveal that the petitioner has given a representation to the Sub Collector, Cuddalore, on 19.06.2015, which has been duly acknowledged. Therefore, the said authority is directed to consider and pass appropriate orders on the pending representation of the petitioner dated 19.06.2015, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after affording an opportunity of being heard to the petitioner. The writ petition is disposed of accordingly. No costs. Connected M.P. is closed.

nv

Sd/-  
Assistant Registrar (iv)

/True Copy/

Sub-Assistant Registrar

To

1. The Secretary,  
Home Department,  
Fort St. George,  
Chennai - 600 009.
2. The District Collector,  
Collectorate, Cuddalore.
3. The Tahsildar,  
Panruti.
4. The Village Administrative  
Officer,  
Panappakkam Village,  
Panruti Taluk,  
Cuddalore District.
5. The President,  
Panappakkam Village Panchayat,  
Panappakkam,  
Panruti Taluk,  
Cuddalore District.
6. The President,  
Varinjippakkam Village Panchayat,  
Varinjippakkam,  
Cuddalore District.
7. The Sub-Collector,  
Cuddalore

+1 C.C. To M/s.R.Meenal, Advocate in SR.NO.60826

+1 C.C. TO Government Pleader in SR.NO.61189

सत्यमेव जयते

W.P.No.35577 of 2015

(AR-IV)

Sd : 18/11/2015

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