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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 14.08.2015
CORAM :
THE HONOURABLE MR.JUSTICE R.SUDHAKAR
and
THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Writ Petition (MD) No.1164 of 2015
AND M.P(MD). NOS.1 TO 3 OF 2015

P.Sekar ... Petitioner

Vs.

1.The District Collector,
Tiruchirappalli District,
Tiruchirappalli.

2.The Assistant Director of Panchayat,
Irungalur Panchayat,
Thiruchirappalli District.

3.The Tahsildar,
Mannachanallur Taluk,
Thiruchirappalli.

4.The President,
Irungalur Panchayat,
Irungalur,
Manachanalur Taluk,
Tiruchirapalli.

5.The Inspector of Police,
Samayapuram Police Station,
Thiruchirapalli. ... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to protect their existing path way to reach cremation yard belongs to their community people on the eastern side of cemetery and stop constructing compound wall blocking the same by considering their village people's representation dated 5.1.15.

For Petitioner : No appearance
For Respondents : Mr.A.K.Baskarapandian,
Special Government Pleader.

ORDER

(Order of the Court was made by R.SUDHAKAR,J.)

None appears for the petitioner.

2.This writ petition has been filed to direct the respondents to protect the existing path way to reach cremation yard belongs to the petitioner community people on the eastern side of cemetery based on the representation given by the petitioner on 05.01.2015.

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3.In this regard, the petitioner has given a detailed representation, dated 05.01.2015. Since no final order has been passed so far, the present writ petition has been filed.

4.Without going into the merits of the petitioner's claim, the first respondent is directed to consider the representation of the petitioner dated 05.01.2015 on its own merit and in accordance with law. If any third party will be affected by the nature of the relief sought for by the petitioner or by any order to be passed, the authority shall hear such person to avoid the allegations of violation of principles of natural justice. It is made clear that this Court has not expressed any opinion on the merits of the case and the authority concerned is free to deal with the matter on its own merit as per law.

5.The writ petition is disposed of as above. No costs. Consequently, M.P(MD)Nos.1 to 3 of 2015 are closed.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Tiruchirappalli District,
Tiruchirappalli.

2.The Assistant Director of Panchayat,
Irungalur Panchayat,
Thiruchirappalli District.

3.The Tahsildar,
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4.The President,
Irungalur Panchayat,
Irungalur, Manachanalur Taluk,
Tiruchirapalli.

5.The Inspector of Police,
Samayapuram Police Station,
Thiruchirapalli.

+1cc to The Special Government Pleader, Madurai. SR.No. 47157

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14.08.2015

sms
NS/JGB-DP/SAR-J/31.08.2015 : 2P/7C

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