



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.08.2015

CORAM :

THE HONOURABLE MR.JUSTICE R.SUDHAKAR

and

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Writ Petition (MD) No.9447 of 2014

and

MP(MD)No.1 of 2014

S.Dhanasekar

... Petitioner

Vs.

1. The District Collector,
Pudukottai District,
Pudukkottai.

2. The Revenue Divisional Officer,
Iluppur, Pudukottai District.

3. The Tahsildar,
(Revenue) Kulathur Taluk,
Keeranur,
Pudukottai District.

4. The President,
Kalamavoor Village Panchayat,
Kulathur Taluk,
Pudukkottai District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to setup a burial and burning ground in the 4th respondent Village Panchayat based on the representation of the petitioner dated 24.05.2014 to the respondents within a time frame.

For Petitioner : Mr.B.Saravanan
For Respondents 1-3 : Mr.M.Alagadevan,
Special Government Pleader.
For 4th Respondent : Mr.M.Rajarajan

ORDER

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

The petitioner has come forward with this writ petition, seeking for a direction to the respondents 1 to 4 to setup a burial and burning ground in the fourth respondent Village Panchayat based on the representation of the petitioner dated 24.05.2014



2.The grievance of the petitioner is that the representation of the petitioner dated 24.05.2014 has not been considered so far. Hence, the present writ petition has been filed.

3.Without going into the merits of the petitioner's claim, the first respondent is directed to consider the representation of the petitioner 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.

4.The writ petition is disposed of as above. No costs. Consequently, M.P(MD)No.1 of 2014 is closed.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Pudukottai District,
Pudukkottai.
2. The Revenue Divisional Officer,
Iluppur, Pudukottai District.
3. The Tahsildar,
(Revenue) Kulathur Taluk,
Keeranur,
Pudukottai District.
4. The President,
Kalamavoor Village Panchayat,
Kulathur Taluk,
Pudukkottai District.

+ 1 CC TO M/S.S.SARAVANAN, ADVOCATE IN SR NO. 48039

SMS

TE/AN-MP 28/09/2015 2P/6C