

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 20.06.2016

Coram:

The Honourable Mr.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
The Honourable Mr.Justice R.MAHADEVAN

W.P.No.6137 of 2013

S.P.Gandhi

... Petitioner

Versus

1.The Secretary to Government
Revenue Department,
Secretariat, Chennai 9.

2.The Secretary to Government
Municipal Administration and Water Supply
Department, Secretariat,
Chennai 600009.

3.The District Collector,
Kancheepuram District.

4.The Commissioner, Municipal Administration,
Ezhilagam Annex Building, VI Floor, Chepauk,
Chennai 5.

5.The Commissioner,
Pallavaram Municipality
Pallavaram, Chennai 43.

6.The Tahsildar,
Alandur Taluk,
Kancheepuram District.

7.P.Murthy

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issue of a writ of Mandamus, directing the respondents 5 and 6 to remove the encroachment in the burial ground comprised in S.No.374/14 in Pallavaram Village, Alandur Taluk, Kancheepuram District appointing an Advocate Commissioner to assess the present status of the said land and file the report to this Court within a time frame.

For Petitioner ::: MR.M.Rajendran
For Respondents ::: Mr.S.T.S.Murthi
 Special Government Pleader for
 R.1 to R.4
 Mr.P.Srinivas for R5
 Mr.A.Palaniappan for R.7

O R D E R

(The Order of the Court was made by The Hon'ble The Chief Justice)

We are not inclined to entertain this Public Interest Litigation, as title suits are stated to be pending. We may also note that it is not the case of the petitioner that the land in question is a public land, whether it is owned by the private respondents or not. Thus, we fail to appreciate how a private land could be used as a burial ground.

2. The writ petition accordingly stands closed, leaving the parties to bear their own costs. Consequently, connected miscellaneous petition is closed.
ksr

-s/d-

Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

To

1.The Secretary to Government, Revenue Department, Secretariat, Chennai 9.

2.The Secretary to Government, Municipal Administration and Water Supply Department, Secretariat, Chennai 600009.

3.The District Collector, Kancheepuram District.

4.The Commissioner, Municipal Administration, Ezhilagam Annex Building, VI Floor, Chepauk, Chennai 5.

5.The Commissioner, Pallavaram Municipality, Pallavaram, Chennai 43.

6.The Tahsildar, Alandur Taluk, Kancheepuram District.

+ 1 cc to Mr.P.Srinivas, AdvocateSR 33790

+ 1 cc to Mr.P.Palaniappan, Advocate SR 34205

+ 1 cc to Govt.Pleader SR 33921 & 33829

scd(co)
prk6/7

W.P.No.6137 of 2013



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