

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P. No.41018 of 2015

D.Vinothkumar

.. Petitioner

-vs-

1.The District Collector,
Tiruvallur District,
Collectorate Office, Tiruvallur.

2.The District Revenue Officer,
Tiruvallur District,
Collectorate Office, Tiruvallur.

3.The Revenue Divisional Officer,
Tiruvallur District, Office at
RDO Office, Thiruvallur.

4.The Executive Engineer, PWD,
Kosathalai River Basin Division,
Water Resources Organization,
Thiruvallur.

5.The Tahsildar,
Poonamallee Taluk,
Office at Poonamallee Taluk,
Poonamallee, Chennai.

6.Settu @ Paramasivam

7.Premkumar

8.Sampath

9.Kutty

10.Vetrivel

11.Kumar

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondents 1 to 5 to remove the dead bodies buried in

S.No.79/1 and in S.No.72 Aathukkal Poramboke at No.23, Sorancheri Village, Poonamallee Taluk, Thiruvallur District.

For Petitioner : Mr.M.Raja Sekhar

For Respondents : Mr.S.T.S.Murthi,
Govt. Pleader, assisted by
Mr.V.Shanmuga Sundar, G.A.
For RR 1 to 5

O R D E R

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

The petitioner alleges in the Public Interest Litigation that despite existence of three different burial grounds situated in proximity, the villagers belonging to Anaikattucherri Village, buried the deceased persons in Survey Nos.79/1 and 72, which is actually classified as poramboke water resource.

2.Learned Government Pleader submits that he has instructions and the burial was necessitated on account of inability to reach the other burial grounds due to recent floods and that it was in the given exigency of the situation. He, however, assures that the said area will not be used as a burial ground and necessary steps would be taken to exhume and bury the bodies, if any buried in that area, in any of the three regular burial grounds within one (1) month of the receipt of the order, with the cooperation of the family.

3.The aforesaid statement is taken on record.

4.Writ Petition, accordingly, stands disposed of. No costs.

Sd/-

Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

sra

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To

1. The District Collector,
Tiruvallur District,
Collectorate Office, Tiruvallur.

2. The District Revenue Officer,
Tiruvallur District,
Collectorate Office, Tiruvallur.

3. The Revenue Divisional Officer,
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Water Resources Organization, Thiruvallur.

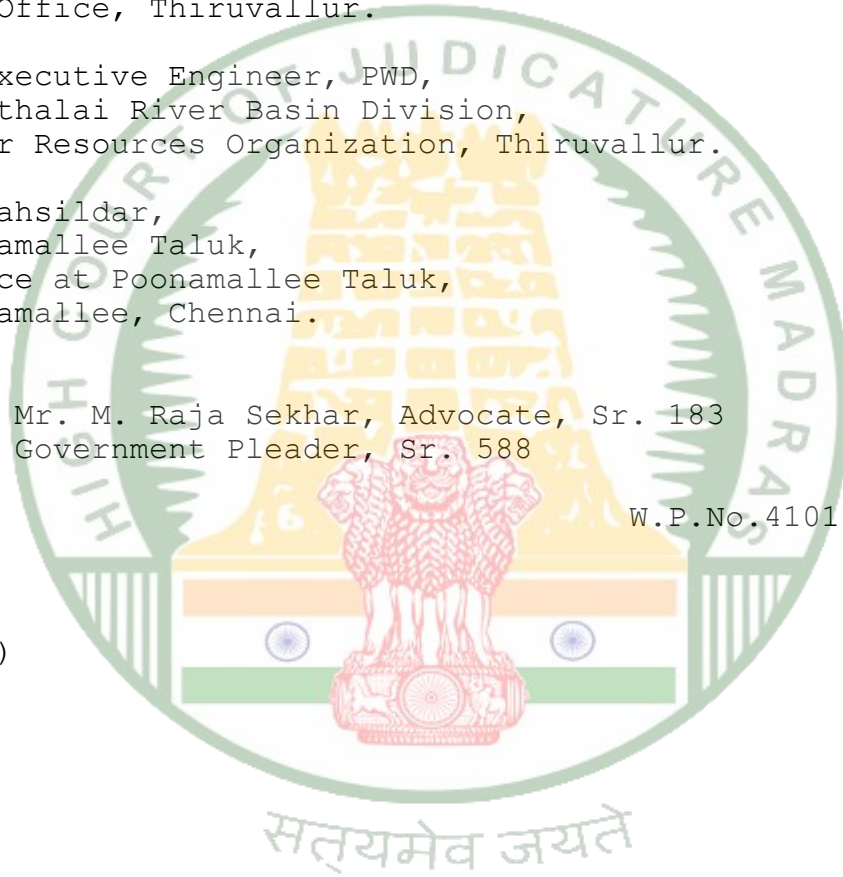
5. The Tahsildar,
Poonamallee Taluk,
Office at Poonamallee Taluk,
Poonamallee, Chennai.

1 cc to Mr. M. Raja Sekhar, Advocate, Sr. 183

1 cc to Government Pleader, Sr. 588

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BVR (CO)
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