



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2016

CORAM

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THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
AND
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P. (MD) .No.2583 of 2015
and
M.P. (MD) .No.1 of 2015

Rakkammal .. Petitioner.

Vs.

1.The District Collector,
Office of the District Collector,
Sivagangai District.

2.The Revenue Divisional Officer,
Devakottai Taluk,
Sivagangai District.

3.The Superintendent of Police,
Sivagangai District. .. Respondents

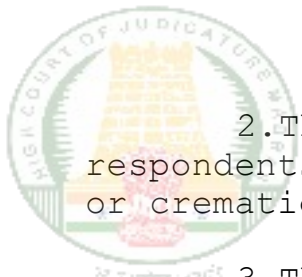
Prayer: Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus directing the respondent No.1 and 2 to take necessary action on the basis of the representation submitted by the petitioner dated 01.07.2014 in accordance with law within the time stipulated by this Honourable Court.

For Petitioner : Mr.R.Alagumani
For Respondents : Mr.Aayiram K.Selvakumar
Government Advocate

ORDER

(The Order of the Court was made by S.NAGAMUTHU.J)

The petitioner has come up with this writ petition seeking a direction directing the respondents 1 and 2 to take necessary action on the basis of the representation submitted by him, on 01.07.2014, wherein, she has stated that there should not be any burial or cremation of dead bodies in S.No.188, which is a government poramboke land, situate in Gandhi Nagar in Kallangudi



2.The learned Government Advocate appearing for the respondents would submit that the said land is used as a burial or cremation ground for centuries.

3.The case of the petitioner is that the said land is situated near their residential area. Hence, they are objecting the said land being used as a burial or cremation ground.

4.In our considered view, in a sensitive issue of this nature, where there is enough proof to show that there is a burial / cremation ground for more than 100 years, we cannot issue any direction to stop that practice from using the said land as a burial / cremation ground in future. Hence, the writ petition fails and the same is dismissed. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar(AE)

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
Office of the District Collector,
Sivagangai District.

2.The Revenue Divisional Officer,
Devakottai Taluk,
Sivagangai District.

3.The Superintendent of Police,
Sivagangai District.

+1cc to special Government Pleader SR.No.54180

VS

sm:CK:3.10.2016:2P/5C

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