



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated :09.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

AND

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD) No.10681 of 2017

WEB COPY

K.Manickam Pillai

...Petitioner

-Vs-

1.The Government Secretary,
Revenue Department,
St.George Fort,
Chennai- 9.

2.The Commissioner,
Commissionerate of Land Administration Department,
Chepauk, Chennai- 4.

3.The District Collector,
Madurai District,
Madurai.

4.The Commissioner,
Madurai Municipal Corporation,
Anna Maligai, Madurai.

5.The District Revenue Officer,
Madurai District, Madurai.

6.The Thasildar,
Madurai West Taluk,
Madurai.

...Respondents

PRAYER: This Writ petition filed under Section 226 of the constitution of India, to issue a writ of mandamus, directing the 1st respondent to direct the 3rd and 4th respondents to change the suitable classification for protecting and constructing the compound wall to the entire burial and cremation ground in the Ponmeni Revenue Village, Old Survey No. 529, Re-Survey No.157/2, its extent of 0.81 Acres present Madurai Municipal Corporation Ward No.23 Block No.27 and the Town Survey No.176 based on the petitioner's representation dated 08.05.2017 within the stipulated time limit.

For Petitioner

: Mr. NA.Palaniyandi

<https://hcservices.ecourts.gov.in/hcservices/> FOR R1 to R3 & R5 & R6

: Mr.M.Govindan
Special Government Pleader



For R4

: Mr.T.S.Mohammed Mohideen
Additional Government Pleader

ORDER

[Order of the Court was delivered by **G.R.SWAMINATHAN, J.**]

The writ petition has been filed for directing the respondents 3 and 4 to reclassify certain survey numbers.

2.The writ petitioner had given a representation dated 08.05.2017, in this regard. It seen that the land is being used as burial and cremation ground. But, on account of the classification of the said land as a water body in the revenue records, the writ petitioner and the local villagers are put to prejudice. The writ petitioner would contend that even though in the revenue records, it is mentioned as a water body, it is being used as a burial ground. This Court is unable to agree with the contention of the writ petitioner. If there is a classification as a water body, it is not for this Court to direct the authorities to reclassify the same.

3.There is no merit in this writ petition. Accordigly, this writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar(Crl side)

/True copy/

Sub Assistant Registrar

To

1.The Government Secretary,
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Chennai- 9.

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Madurai Municipal Corporation,
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5.The District Revenue Officer,
Madurai District, Madurai.

6.The Thasildar,
Madurai West Taluk,
Madurai.

+1cc to Mr.T.S.MOHAMED MOHIDEEN,Advocate,SR.71523
+1cc to Mr.NA.PALANIYANDI,Advocate,SR. 71539
+1cc to M/S.Special Government Pleader,SR. 72299

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DAS/GSP
KK/SKN RSK/SAR 2/06.11.2017/ 3P- 10C