



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.09.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
and
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P. (MD) No.459 of 2018

T.Krishnasamy

... Petitioner

-vs-

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.
2.The Commissioner,
Ramanathapuram Municipality,
Ramanathapuram.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents i.e., the District Collector, Ramanathapuram and the Commissioner of Ramanathapuram Municipality to remove the buried waste materials upto the height of six feets in the Cremation and Burial ground situated in T.S.No.8/1 of Athikanmoi of Soorankottai Village (GRS.No.345/1) and take them to the newly constructed dust storing area in S.No.417 of Pattinamkathan Village and to maintain the Cremation and Burial ground with hygienic condition and thus paving way to bury the dead bodies without any difficulty, within a specified time frame that may be fixed by this Hon'ble Court.

For Petitioner : Mr.S.Visvalingam

For Respondents 1 & 2: Mr.A.K.Baskarapandian
Special Government Pleader

ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

With the allegation that waste materials are dumped without permission by digging the burial ground, the petitioner made a representation to the respondents. Thereafter, the present Writ Petition has been filed.

2.The learned counsel appearing for the petitioner would submit that it would suffice if the pending representation to the respondents dated 13.11.2017 is directed to be considered by



respondent No.2.

3. Considering the submissions made on both sides, this Court, without going into the merits of the claim made by the petitioner, directs the second respondent to consider the representation of the petitioner dated 13.11.2017, and pass appropriate orders on merits and in accordance with law within a period of 6 weeks from the date of receipt of a copy of this order.

4. This Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CRL-SIDE)

// True Copy //

Sub Assistant Registrar (CS-I)

To

1. The District Collector,
Ramanathapuram District,
Ramanathapuram.

2. The Commissioner,
Ramanathapuram Municipality,
Ramanathapuram.

+ 1 CC TO MR.S.VISVALINGAM, ADVOCATE IN SR NO.83180
+ 1 CC TO SPECIAL GOVERNMENT PLEADER, IN SR NO.84080

SJ

BU/RSK/SAR-I :17.10.2018 : 2P/5C

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