

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.06.2019

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.Nos.4000 and 4009 of 2019
and W.M.P.Nos.4457, 4459, 4465 & 4467 of 2019

K.Anbazhagan ... Petitioner in W.P.No.4000/19

K.Pavadai @ Segar ... Petitioner in W.P.No.4009/19

Versus

1. The Union of India,
Rep.by Secretary to Government,
Revenue Department,
Government of Puducherry,
Puducherry.
2. The District Collector,
Collectorate building,
Puducherry.
3. Ariyankuppam Commune Panchayat,
Ariyankuppam,
Puducherry. ... Respondents in both Wps.

COMMON PRAYER:

Writ Petition filed under Article 226 of the Constitution of India, praying for the issue of Writ of Certiorarified Mandamus calling for the records leading to the passing of impugned resolution dated 22.01.2009 passed by the 3rd respondent herein and quash the same and consequently direct the respondents herein to create burial/cremation ground in the originally ear marked place as per G.O.Ms.No.29 dated 28.07.2003 issued by 1st respondent.

For Petitioner in both WPs : Mr.A.Tamilvanan

For Respondents in both Wps.: Mr.A.V.Ramalingam
Addl.Government Pleader

COMMON ORDER

Heard the learned counsel for the petitioners and the learned counsel for the respondents.

2. The petitioners herein, who are enjoying land adjacent to the burial ground apprehend that there is going to be deviation to the burial ground approved plan based on the resolution passed by some persons presided by the Panchayat President. Hence, they have approached this Court seeking Certiorarified Mandamus to quash the resolution passed by the persons on 22.01.2019 on the premise that the resolution was passed by the Board Members of the Ariyankuppam Commune Panchayat.

3. On perusal of the resolution, which is impugned in these writ petitions, this Court finds that it is not a resolution passed by the duly elected Panchayat Members of the Ariyankuppam village. In fact it is a meeting conducted in the Panchayat Office attended by the public and few elected members. Further, Panchayat cannot deviate the plan approved by the State.

4. This Court finds that no merits in these writ petitions accordingly, these writ petitions are dismissed. There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Deputy Registrar (CJ Conf.)

//True Copy//

Sub Assistant Registrar

rpl
To

1. The Union of India,
Rep.by Secretary to Government,
Revenue Department, Government of Puducherry,
Puducherry.

2. The District Collector,
Collectorate building, Puducherry.

+2ccs to Mr.A.Tamilvanan, Advocate, S.R.No.52539, 52540

+1cc to the Government Pleader, S.R.No.52531, 52532

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RGN(CO)
CS/30/07/2019