

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2019

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

WP.No.28043 of 2018

J.Krishnakumar

... Petitioner

Vs.

1.The Sub Collector,
Pollachi, Coimbatore District.

2.The Tahsildar,
Pollachi Taluk, Pollachi,
Coimbatore District.

3.The Commissioner,
Pollachi Municipality,
Pollachi,
Coimbatore District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a writ of MANDAMUS, directing the respondents to implement the order passed by the first respondent in her proceedings Na.Ka.No.1036/2018/Aa1, dated 20.06.2018.

For Petitioner : Mr.C.Prakasam

For R1 & R2 : M/s.K.Bhuvaneshwari
Additional Government Pleader

For R3 : Mr.Thambusamy
Standing Counsel for R-3

O R D E R

This writ petition has been filed seeking a direction to the respondents 2 and 3 to implement the order passed by the first respondent, Sub Collector, Pollachi, dated 20.06.2018.

2.The dispute relating to a burial ground situated in survey No.3, Block No.3, Ward No. H, Pollachi Municipal Limit, Coimbatore District. The grievance of the petitioner is that the

adjacent to the burial ground, a cart track and government promboke is situated. Now, the public buried the dead bodies in the cart track. Earlier, considering the request of the petitioner, the first respondent, by an order dated 20.06.2018, directed the third respondent to take necessary steps and put up a Board not to buried the dead bodies in the above said cart track Government Promboke. Pursuant to the order passed by the first respondent, the public does not obied the said proceedings. Hence, this writ petition has been filed.

3.Mr.Thambusamy, the learned Standing Counsel appearing for the 3rd respondent submitted that the third respondent already filed a counter and submitted that the order passed by the first respondent dated 20.06.2018 is complied with by the 3rd respondent and put up a board in the burial ground inform the public should be buried the dead bodies only in the burial ground and thereby preventing the public, to construct a compound wall in and around the burial ground. The third respondent also produced the copy of the photographs showing the construction of compound wall.

4.Considering the facts and circumstances of the case, already a compound wall has been constructed in and around the burial ground, no further adjudication is required. Hence, this writ petition is closed. No costs

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

vsn/rrg

To

1.The Sub Collector, Pollachi, Coimbatore District.

2.The Tahsildar,
Pollachi Taluk, Pollachi, Coimbatore District.

3.The Commissioner,
Pollachi Municipality, Pollachi, Coimbatore District.

+1 cc to Mr.C.Prakasam, Advocate SR.No.630
+1 cc to The Government Pleader, SR.No.1036

W.P.No.28043 of 2018

CSL/07.02.2019