

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2020

CORAM :

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN
AND
THE HONOURABLE MRS. JUSTICE R. HEMALATHA

W.P.No.14308 of 2020

Dr.S.Kumar

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by its Principal Secretary,
Rural Development and Panchayat Raj Department,
Fort St. George, Chennai - 600 009.
2. The State of Tamil Nadu,
Represented by its Principal Secretary,
Revenue and Disaster Management Department,
Fort St. George, Chennai - 600 009.
3. The State of Tamil Nadu,
Represented by its Principal Secretary,
Adi Dravidar and Tribal Welfare Department,
Fort St. George, Chennai - 600 009.
4. The Director,
Rural Development and Panchayat Raj Department,
Panagal Building, Chennai - 600 015.
5. The District Collector,
Villupuram District Collector Office,
Villupuram - 605 602.
6. The Block Development Officer,
Mugaiyur Panchayat Union, Manampoondi,
Villupuram District.
7. The Thasildhar,
Kandachipuram Taluk Office,
Villupuram District -605 701.
8. The Special Thasildhar,
Adi Dravidar Welfare Office, Villupuram,
Villupuram District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to consider petitioner's representation dated 13.5.2020 and allocate the burial ground along with road for the people of Thirumalairayapuram, Othiyathur Village, Kandachipuram Taluk, Villupuram District.

For Petitioner : Mr.R.Chakkaravarthy

For R5, R7 & R8 : Mr.M.Elumalai
Additional Government Pleader

O R D E R

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

This writ petition has been styled as "Public Interest Litigation" filed by a resident of Thirumalairayapuram, Othiyathur Village, Kandachipuram Taluk, Villupuram District.

2. According to the petitioner, more than 175 families are residing in the said village and the residents of the said village have been using the land comprised in S.No.109/4F, 109/5B7 as burial ground and this land originally belonged to one Thirumalairayar Iyer and he gifted the land for the purpose of using it as burial ground, however, one Narayanasamy Gounder, had obtained patta in his name for his property including the above burial ground, and is obstructing for burial of dead bodies in the said land, and the residents of the village are facing much difficulty on the account of the untenable stand of the said Narayanasamy Gounder. The residents of the village approached various persons and Mr.Jayamoorthy, Son of Nayaynasamy, Mr.Naraynasamy, Son of Arumugam, Mr.Veeramuthu, Son of Poongan, Mr.Singaravel, Son of Arumugam, are ready to give their land for the burial ground/road to burial ground and that apart, an alternative land admeasuring 3 acres 25 cents in Survey No.124/4, classified as "Pond Poramboke Land" is also available and therefore, the representation submitted in this regard dated 13.05.2020 may be disposed of by the 5th respondent in an objective and considerate manner.

3. Mr.M.Elumalai, learned Additional Government Pleader, accepts notice on behalf of the respondents 5, 7 and 8 and would submit that the representation submitted in this regard by the petitioner will be disposed of by the 5th respondent.

4.This Court, taking into consideration the facts and circumstances of the case, without going into the merits of the case as projected by the petitioner either in the representation or in this writ petition, directs the 5th respondent to consider and dispose of the representation dated 13.05.2020 on merits and in accordance with law, and pass appropriate orders as expeditiously as possible, not later than ten weeks from the date of receipt of a copy of this order, and communicate the decision taken to the petitioner.

This writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mkn

To

- 1.The Principal Secretary,
State of Tamil Nadu,
Rural Development and Panchayat Raj Department,
Fort St. George, Chennai - 600 009.
- 2.The Principal Secretary,
State of Tamil Nadu,
Revenue and Disaster Management Department,
Fort St. George, Chennai - 600 009.
- 3.The Principal Secretary,
State of Tamil Nadu,
Adi Dravidar and Tribal Welfare Department,
Fort St. George, Chennai - 600 009.
- 4.The Director,
Rural Development and Panchayat Raj Department,
Panagal Building, Chennai - 600 015.
- 5.The District Collector,
Villupuram District Collector Office,
Villupuram - 605 602.
- 6.The Block Development Officer,
Mugaiyur Panchayat Union, Manampoondi,
Villupuram District.

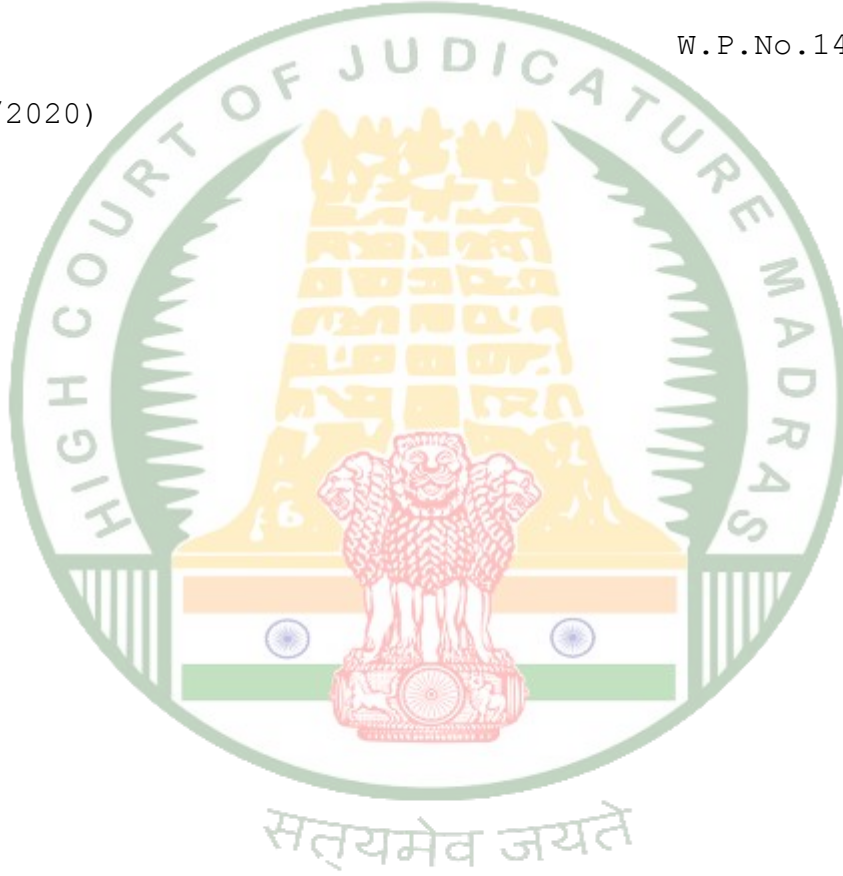
7.The Tahsildar,
Kandachipuram Taluk Office,
Villupuram District -605 701.

8.The Special Tahsildar,
Adi Dravidar Welfare Office, Villupuram,
Villupuram District.

+1 cc to M/s.R.Chankkaravarthy, Advocate Sr.No. 33772
+1 cc to The Government Pleader, Sr.No. 33702

W.P.No.14308 of 2020

BR(CO)
RMP(05/11/2020)



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