

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.12.2020

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

W.P.No.16980 of 2020

1. A.K.Dinesh Kumar

2. C.Parthiban

... Petitioners

Vs.

1.The District Collector,
Tiruppur District, Tiruppur.

2.The Block Development Officer,
Vellakovil,
Tiruppru District.

3.The President,
Mettupalayam Panchayat,
Tiruppur District.

... Respondents

Prayer: Writ Petition filed under Section 226 of Constitution of India praying for issuance of Writ of Mandamus forbearing the respondents herein from putting up the burial and burning ground in S.F.No.135 situate at Rasathavalasu Village, Mettupalayam Panchayat, Kangayam Taluk, Tiruppur District, thereby preventing the petitioners' ingress and egress to their lands in S.F.No.146/2 of the same village.

For Petitioner : Mr.Goviganesan

For Respondents: Mr.Annai Ezhil, Govt. Advocate

O R D E R

This Writ Petition has been filed for the issue of Writ of Mandamus forbearing the respondents from converting the subject property into a burial ground and thereby prevent the petitioner's ingress and egress to their property in S.F.No.146/2.

2.The case of the petitioner is that the 3rd respondent has passed a resolution in the Panchayat for the purpose of converting the subject property into a burial ground and a proposal has already been sent to the 1st respondent. The petitioner, on coming to know about the proposal, has given his

objections on 14.10.2020 to the 1st respondent. The grievance of the petitioner is that the 1st respondent has not called the petitioner for enquiry till date and hasty steps are being taken to convert the subject property into burial ground. Left with no other alternative, the present Writ Petition has been filed before this Court seeking for appropriate directions.

3. Heard Mr.Goviganesan, learned counsel for petitioner and Mr.Annai Ezhil, learned Govt. Advocate appearing for the respondents 1 and 2.

4. Taking into consideration, the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the 1st respondent to consider the objections given by the petitioner on 14.10.2020 and take a decision with regard to the proposal submitted by the 3rd respondent strictly in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that the status quo shall be continued till the 1st respondent takes a decision in this regard.

5. The petitioner is directed to make a fresh representation to the 1st respondent along with all the relevant documents and also a copy of this order.

6. This Writ Petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

सत्यमेव जयते

msr

To

1.The District Collector,
Tiruppur District, Tiruppur.

2.The Block Development Officer,
Vellakovil,
Tiruppru District.

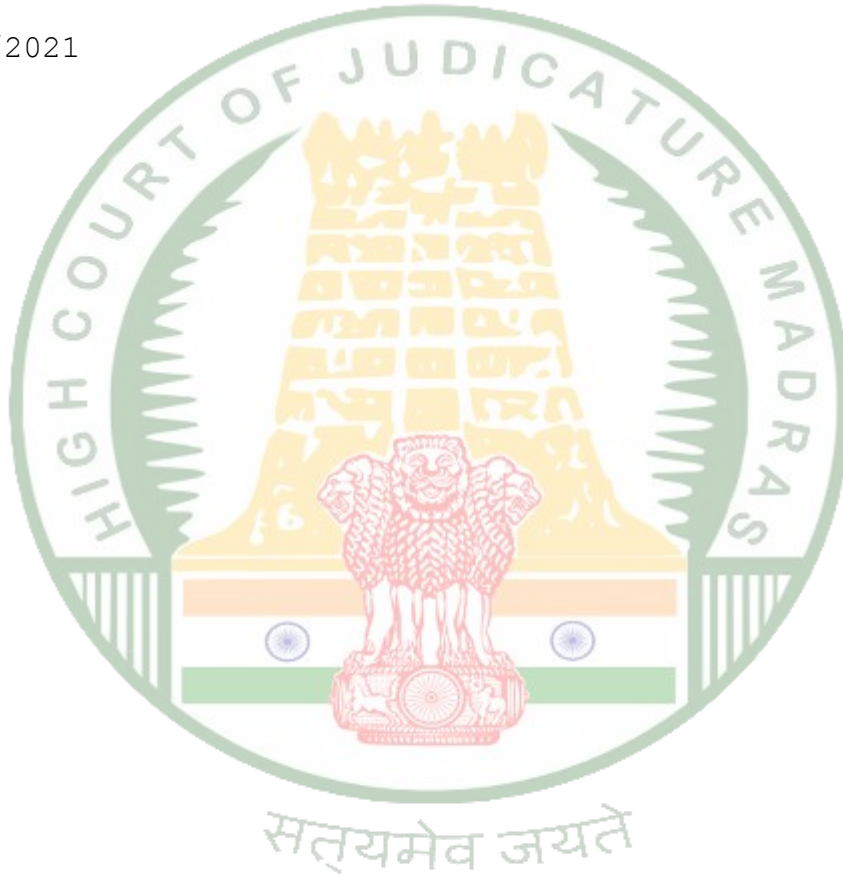
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3.The President,
Mettupalayam Panchayat,
Tiruppur District.

+1cc to Mr.K.Govi Ganesan, Advocate Sr.38550

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