

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.03.2021

CORAM

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.No.6572 of 2021

&

W.M.P.No.7143 of 2021

M.Subramaniyan

... Petitioner

Vs.

1.The District Collector,
Office of District Collectorate,
Cuddalore District.

2.The Revenue Divisional Officer,
Virudhachallam Municipality,
Cuddalore District - 606 001.

3.The Municipal Commissioner,
Virudhachalam Municipality,
Cuddalore District - 606 001.

4.C.Chandrakumar @ Kumar

5.K.Malarthasan

6.K.Arunachalam

7.K.Jeyaraman

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the 3rd respondent Municipality to pass a direction to forbear respondents 4 to 7 from putting up the construction for the funeral/cremation shed at Ward-G, Block-6, T.S.No.12 (old Sy.No.39) and direct them to cremate or bury dead bodies at the premises of electric crematorium by considering petitioner's representation dated 28.12.2020 and 14.12.2020.

For Petitioner

: Mr.R.Muthu Krishnan

For Respondents

: Mr.M.Elumalai, AGP
(for R.1 to R.3)

ORDER

This Writ Petition is filed for a mandamus directing the 3rd respondent Municipality to pass a direction to forbear respondents 4 to 7 from putting up the construction for the funeral/cremation shed at Ward-G, Block-6, T.S.No.12 (old Sy.No.39) and direct them to cremate or bury dead bodies at the premises of electric crematorium by considering petitioner's representation dated 28.12.2020 and 14.12.2020.

2.The grievance of the petitioner is that the respondent Municipality is attempting to convert the Government Porumboke land, which is situated nearby the petitioner land, as a cremation ground which is not classified as graveyard.

3.On instructions, Mr.M.Elumalai, learned Additional Government Pleader appearing for the respondents 1 to 3 produced the written instructions of the third respondent stating that Town Sy.No.12 in Block No.6, Ward G, Poonthottam Village belongs to the Municipality and in order to protect the land they have put up a barred fencing for the land and they are not attempting to convert the land as burial ground and it is being used for doing certain ritual ceremonies.

4.By recording the said written instructions of the respondent Municipality, this Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

mrm

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

To

1.The District Collector,
Office of District Collectorate,
Cuddalore District.

2.The Revenue Divisional Officer,
Virudhachallam Municipality,
Cuddalore District - 606 001.

3.The Municipal Commissioner,
Virudhachalam Municipality,
Cuddalore District - 606 001.

+1cc to Mr.R.Prathap Singh , Advocate SR.No. 20626

+1cc to Mr.R.Muthu Krinshnan, Advocate SR.No. 20526

W.P.No.6572 of 2021

SR II (CO)

A.SK(16.06.2021)

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