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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.08.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.10501 of 2021

S.Sivadas Ravi

..Petitioner

.Vs.

1. District Collector
Chengalpet District Collector Office
GST Road, Chengalpet District- 603 001.
2. Assistant Director (Panchayats)
Thaiyar Kullam, Kancheepuram- 631 501.
3. Commissioner,
Acharapakkam Village Panchayat Union
Acharapakkam S.O. Acharapakkam Sub Post Office
Chengulpattu Division,
Kancheepuram District - 603 301.
4. District Environmental Engineer
Tamil Nadu Pollution Control Board
Maraimalai Adigalar Street
Next to Municipal Office
Maraimalai Nagar
Kancheepuram District- 603 209.

..Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to official respondents to dispose of the petitioner's representation dated 15/02/2021 within a time frame and pass.

For Petitioner : Mr.K.V.Bhashyam Chari

For Respondents : Mr.A.Selvendran
Government Advocate
for R 1 to R 4

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the respondents to consider the representation made by the petitioner on 15.02.2021, wherein,



the petitioner has complained about the formation of a manual crematorium without complying with the Tamil Nadu Village Panchayats (provision of Burial and Burning Grounds) rules, 1999.

2.The grievance of the petitioner is that a manual crematorium was attempted to be formed in the year 2016 by the village authority and this cremation ground was formed adjacent to a water canal which was the source of water for irrigating the agricultural lands. According to the petitioner, prior approval / sanction was not obtained from the 2nd respondent and therefore, the very formation of the burial ground is in violation of the relevant rules. The petitioner made a representation in this regard on 15.02.2021. Since the same was not considered, the present writ petition has been filed before this court seeking for appropriate directions.

3.Heard Mr.K.V.Bhashyam Chari, learned counsel for the petitioner and Mr.A.Selvendran, learned Government Advocate appearing on behalf of the respondents 1 to 4.

4.Taking into consideration the facts and circumstances of the case and the nature of grievance expressed by the petitioner, there shall be a direction to the 2nd respondent to consider the complaint / representation made by the petitioner on 15.02.2021 and deal with the same strictly in accordance with law and take a decision within a period of six weeks from the date of receipt of copy of this order.

5.The petitioner is directed to make a fresh representation to the 2nd respondent along with all the relevant records and also a copy of this order.

6.This writ petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

KP

To

1. District Collector
Chengalpet District Collector Office
GST Road, Chengalpet District- 603 001.



2. Assistant Director (Panchayats)
Thaiyar Kullam,
Kancheepuram- 631 501.

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3. Commissioner,
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Next to Municipal Office
Maraimalai Nagar
Kancheepuram District- 603 209.

+1cc to Mr.K.V.Bhashyam Chari, Advocate, S.R.No.42442

+1cc to the Government Pleader, S.R.No.42650

W.P.No.10501 of 2021

PCH(CO)
CT(17/09/2021)