

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.04.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.11479 of 2019
and W.MP.Nos.11746 & 11747 of 2019

1. K.Selvakumar
2. Dinakaran

... Petitioners

Vs

1. The Principal Secretary,
Municipal Administration and Water Supply Department,
Fort St.George, Chennai - 600 009.
2. The Chairman,
Corporation of Salem, Salem.
3. The Assistant Commissioner,
Kondalampatti Zone,
Salem City, Salem.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the second respondent to consider the application of the petitioners dated 05.04.2019 for grant of cremation and other allied activities to the petitioners within the stipulated time as that may be fixed by the Hon'ble High Court.

For Petitioner : Mr.N.Umapathi
For R1 : Mr.J.Ramesh, AGP
For R2 & R3 : Mrs.K.Bhuvaneswari

O R D E R

This writ petition has been filed for a direction to the second respondent to consider the petitioners' representation dated 05.04.2019 for grant of cremation and other allied activities to them within a time frame to be fixed by this Court.

2.According to the petitioners, they belong to Adi-dravidar Community. From time immemorial, their forefathers were involved in the work of cremation of dead bodies in the Seelanaickenpatti Manjal Kadu Burial ground and they obtained permission/licence from the second respondent in this regard. While so, the second respondent started construction of Bio-Gas crematorium, which

is almost completed and ready for inauguration. It is the grievance of the petitioners that they made a representation dated 05.04.2019 to the respondents requesting to grant cremation and other allied activities to M/s.Kalvikan Kamarajar Arakkattalai which was formed by the petitioners to render social service and the same is pending without any consideration. Hence, this writ petition.

3. Heard both sides and perused the materials available on record.

4. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the respondents to consider the petitioners' representation dated 05.04.2019 and pass appropriate orders on merits and in accordance with law, that too, after affording due opportunity of hearing to the petitioners as well any other interested parties, within a period of eight (8) weeks from the date of receipt of a copy of this order.

5. This Writ Petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Secretary,
Municipal Administration and Water
Supply Department, Fort St.George, Chennai - 600 009.

2. The Chairman, Corporation of Salem, Salem.

3. The Assistant Commissioner,
Kondalampatti Zone, Salem City, Salem.

+1 cc to Mr.N.Umapathi, Advocate Sr No.21848

+1 cc to Government Pleader, Sr No.22178

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PMK (CO)
RG.28.04.2021 (2P/6C)