



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:29.07.2021

CORAM :

WEB COPY

**THE HON'BLE MR.SANJIB BANERJEE, THE CHIEF JUSTICE
AND
The HON'BLE MRS.JUSTICE S.ANANTHI**

W.P. (MD) No.2170 of 2021

A.Balamurugan .. Petitioner
Vs
1.The District Collector,
Sivagangai District, Sivagangai.
2.The Project Director,
District Rural Development Authority,
Collectorate Campus,
Sivagangai.
3.The Assistant Director of Panchayat,
Sivagangai.
4.The Block Development Officer,
Manamadurai Panchayat Union,
Sivagangai District.
5.The President,
M.Karisalkulam Village Panchayat,
Sivagangai District. .. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, forbearing the respondents from putting up the construction meant for Panchayat Office Building for M.Karisulkulam Village Panchayat, Manamadurai Taluk in S.No.59/6, of M.Karisalkulam Village, which is situated in close proximity of burial grounds in S.Nos.59/5 and 78/2, consequently direct the respondents to construct Panchayat Office building either in the existing office place or in the poramboke land available within the M.Karisalkulam Village.

For Petitioner : Mr.S.Balamurugan

For Respondents : Mr.A.K.Manikkam for R1 to R5
Standing Counsel for Government



ORDER

[Order of the Court was made by
The Hon'ble Chief Justice]

The grievance in this petition brought by way of public interest is that certain buildings are proposed to be set up on lands bearing close proximity to burial grounds at Survey Nos.59/5 and 78/2 in M.Karisalkulam Village Panchayat, Manamadurai Taluk, Sivagangai District.

2. Mr.A.K.Manikkam, learned Standing Counsel for the respondents, says that there should be no further cause for apprehension because the building sites have been carefully chosen so as not to disturb the burial grounds or its surroundings.

3. In view of such submission, W.P.(MD).No.2170 of 2021 is disposed of, by directing the respondent No.2 Project Director of District Rural Development Authority, Sivagangai, to ensure that there is no disturbance or desecration of the burial grounds in the relevant survey numbers and that such place is maintained with the degree of dignity that it commands.

4. There will be no order as to costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

bala / tsg

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The District Collector,
Sivagangai District, Sivagangai.

2.The Project Director,
District Rural Development Authority,
Collectorate Campus,
Sivagangai.



3.The Assistant Director of Panchayat,
Sivagangai.

4.The Block Development Officer,
Manamadurai Panchayat Union,
Sivagangai District.

5.The President,
M.Karisalkulam Village Panchayat,
Sivagangai District.

+1 CC to M/s.S.BALAMURUGAN, Advocate (SR-24691[F] dated 30/07/2021)

+1 CC to M/s.GP (SR-24904[F] dated 02/08/2021)

W.P. (MD) No.2170 of 2021

Dated :
29.07.2021

RK (09.08.2021) 3P 8C