



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.08.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, THE CHIEF JUSTICE

AND

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.(MD) No. 15045 of 2021

WEB COPY

Ramasamy

.. Petitioner

Vs.

1. The District Collector,
Dindigul District,
Dindigul.

2. The Tahsildar,
Vedasandur Taluk,
Dindigul.

3. The Divisional Engineer,
National Highways (NH-7),
Nehruji Nagar,
Dindigul District.

4. The President,
Kovilur Village Panchayat,
Vedasandur Panchayat Union,
Dindigul District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to direct the respondents 1 to 4 herein not to allow the land comprised in Survey No.368, Vembur Village, Vedasandur Taluk, Dindigul District to be used as burial or burning ground on the basis of the petitioner's representation dated 28.04.2021 and for other reliefs.

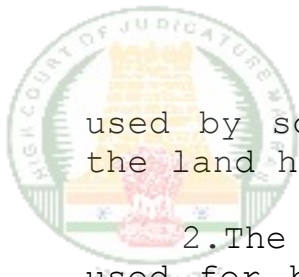
For petitioner	:	Mr. J. Lawrance
For Respondents	:	Mr. B. Saravanan, Government Advocate, For R1 to R3 Mr. P. Thilak Kumar, Government Advocate For R4

ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

The grievance of the petitioner is that a piece of land in Vembur Village of Vedasandur Taluk in Dindigul District is being

<https://hcservices.ecourts.gov.in/hcservices/>



used by some villagers as a burial and cremation ground, though the land has been earmarked as a road poramboke.

2.The petitioner says that other lands are available for being used for burial and cremation and earlier representations of the petitioner resulted in an inspection being undertaken, but no effective steps have been taken by the official respondents.

3.Mr.B.Saravanan, learned Government Advocate takes notice on behalf of the respondent Nos.1 to 3. Mr.P.Thilak Kumar, learned standing counsel for Government takes notice on behalf of the fourth respondent President of the relevant Panchayat.

4.The petitioner is permitted to carry a fresh, detailed representation to the second respondent Tahsildar who will consider whether it is desirable to stop burial and cremation activities at the land that the petitioner speaks of. However, the decision of the Tahsildar in such regard will be final. Unless the petitioner can indicate the violation of a personal right of the petitioner, the possible continuation of the relevant land as a burial and cremation ground can no further be complained against by way of a public interest litigation.

5.W.P.(MD)No.15045 of 2021 is disposed of without any order as to costs.

6.It is also made clear that if any necessary permission is required from any authority for using any space as a burial and cremation ground, such permission should be obtained before the relevant land is next used for any burial or cremation activities.

Sd/-

Assistant Registrar (RECORDS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

MR/RM

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.

<https://hcservices.courts.gov.in/hcservices/>



To

1. The District Collector,
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Dindigul.
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Dindigul.
3. The Divisional Engineer,
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Nehruji Nagar,
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4. The President,
Kovilur Village Panchayat,
Vedasandur Panchayat Union,
Dindigul District.

+1 CC to M/s.J.LAWRANCE, Advocate (SR-27118[F] dated 24/08/2021)

+1 CC to M/s.SPL GP (SR-27177[F] dated 25/08/2021)

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