



WEB COPY

W.P.(MD) No.15841 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.09.2021

CORAM :

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

AND

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P. (MD) No.15841 of 2021

and

W.M.P (MD) No.13743 of 2021

R.Amutharaj

.. Petitioner

Vs

1.The District Collector,
Madurai-02.

2.The Tahsildar,
Vadipatti Taluk,
Madurai District.

3.The Block Development Officer,
Vadipatti Taluk,
Madurai District.

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus directing the respondents 1 to 3 to prevent the construction of crematorium in SF.No.111/1C situated in Thirumal Natham Village, Thiruvudagam Panchayat, Vadipatti Taluk, Madurai District to safeguard the interest of public and to take effective steps to ensure the peaceful life of Thirumal Natham Village Residents by considering the petitioner's representation dated 15.08.2021 within a time that may be stipulated by this Court.

For Petitioner : Mr.R.Venkatesan
for M/s.Right Law Associates

For Respondents : Mr.P.Thilak Kumar
Government Pleader
for R.1 to R.3

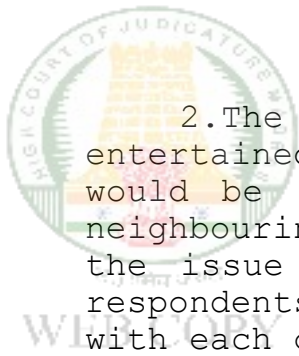
For Petitioner in : Mr.T.Lajapathi Roy
WMP (MD) .13743/2021

ORDER

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

The petition is founded on the enmity between inmates of two neighbouring villages. The petitioner desires that a proposed crematorium be not constructed at the site which has been earmarked because this may result in the enmity gearing up.

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2.The petition apparently filed in public interest will not be entertained in principle. It is not acceptable that a petition would be founded on the basis that there is enmity between two neighbouring lots of Indian citizens. The petitioner should address the issue and ensure that the enmity is defused. The official respondents shall encourage to ensure that the two groups interact with each other, so that the enmity is not fueled any further.

3.Merely because the petitioner cannot see eye to eye with another citizen or with another lot of citizens, does not mean that an executive decision to install a facility at a particular place ought to be changed.

4.W.P.(MD)No.15841 of 2021 is disposed of.

5.Consequently, W.M.P(MD)No.13743 of 2021 is closed. There will be no order as to costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

SSL/PS

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,
Madurai-02.

2.The Tahsildar,
Vadipatti Taluk, Madurai District.

3.The Block Development Officer,
Vadipatti Taluk, Madurai District.

+3 CC to M/s.T.LAJAPATHY ROY, Advocate (SR-30621,SR-30735[F]dated 29/09/2021)

+1 CC to M/s.SPL.GP (SR-30672[F] dated 29/09/2021)

+1 CC to M/s.RIGH LAW ASSOCIATES, Advocate(SR-30654[F]dated 29/09/2021)

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28.09.2021

RK (06.10.2021) 2P 9C

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