



W.P.No.25349 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 3.11.2022

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
AND

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

**W.P.No.25349 of 2022
and W.M.P.No.24333 of 2022**

1 G.Ramalingam
2 P.Jothilakshmi

...

Petitioner

Vs.

- 1 The District Collector
Kallakurichi Kallakurichi District.
- 2 The District Revenue Officer,
Kallakurichi, Kallakurichi Taluk and District.
- 3 The Revenue Divisional Officer,
Kallakurichi Division, Kallakurichi
Taluk and District.
- 4 The Assistant Director of Village Panchayats/
Block Development Officer,
BDO Campus, Kachirapalayam Road,
Kallakurichi Taluk and District.
- 5 The Tahsildar
Kallakurichi, Kallakurichi Taluk and District.
- 6 The Village Administrative Officer,
Neelamangalam Village, Kallakurichi
Taluk And District.



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7 The Executive Engineer

P.W.D. Office, Kesavalu Nagar, Kallakurichi

Post Kallakurichi Taluk And District .

... Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the Respondents to stop prevent Narikuravar community people of Nelamangalam Village or anyone from burying or cremating the dead bodies in the Gomukhi River and River bed situated in Survey No. 180/1 of Neelamangalam Village Kallakurichi District as per the provisions of the Tamil Nadu Village Panchayats (Provision of burial and burning grounds) Rules 1999 published vide G.O.Ms. No. 213 Rural Development (C4) dated 5th October 1999 and take appropriate action against the illegal burial of dead bodies and preserve the Gomukhi River Channel/Water course in accordance with law based on the Petitioner representation dated 28.03.2022.

For Petitioner : Mr.R.Bharath Kumar

For Respondents : Mrs.R.Anitha, Spl.G.P.

ORDER

(Delivered by **D.KRISHNAKUMAR, J.**)

Writ petitioner is the owner of patta land in Survey No.180/3A of Neelamangalam Village, measuring about 0.28.5 acres and other properties covered by patta No.936, which is situated immediate to the West of the Gomukhi river in Survey No.180/1. A group of people belonging to Narikuravar community residing in Neelamangalam Village, did not use the burial grounds at Neelamangalam Village instead they are using common burial ground at Kallakurichi for the past 30 to 40 years. The said burial ground at Kallakurichi is also being used by all other community people without any hindrance. Suddenly, the Narikuravar community people are trying to bury a dead bodies



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of woman belonging to their community on the river beds comprised in Survey No.180/1 of Neelamangalam Village. Hence, the petitioners have made objection before the respondents on 28.3.2022, however, there is no response on the side of the respondents. Therefore, the present writ petition has been filed before this Court.

2. The learned Special Government Pleader appearing for the respondents on instructions would submit that the revenue officials have given necessary instructions to the Narikuravar community that they should not bury the dead bodies in the river beds comprised in Survey No.180/1 of Neelamangalam Village and also advised them to bury the dead bodies only in a place earmarked for burial ground which is common to all. Therefore, the respondents will not permit them to bury dead bodies in the river beds comprised in Survey No.180/1 of Neelamangalam Village.

3. Recording the aforesaid statement of the learned Special Government Pleader, the writ petition stands disposed of. If any dead bodies are buried in the said place, the petitioners shall approach the authorities concerned for taking necessary action. No costs. Connected miscellaneous petition is closed.

(D.K.K.J.) (T.V.T.S.J.)
3.11.2022



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D.KRISHNAKUMAR, J.
AND
T.V.THAMILSELVI, J.

vaan

Speaking/Non Speaking order

Index: Yes

vaan

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