



W.P.(MD)No.18453 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 16.08.2022

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

AND

THE HONOURABLE Mrs. JUSTICE R.HEMALATHA

**W.P.(MD)No.18453 of 2022 and
WMP(MD) No.13453 of 2022**

K.Palpandi

: Petitioner

Vs.

1.The Hon'ble Mayor
Sivakasi City Municipal Corporation,
Sivakasi Taluk
Sivakasi, Virudhunagar District

2.The Revenue Division Officer,
Sivakasi Taluk, Sivakasi
Virudhunagar District

3.The Tahsildar
Sivakasi Taluk, Sivakasi
Virudhunagar District

4.The Commissioner
Sivakasi City Municipal Corporation
Sivakasi Taluk, Sivakasi
Virudhunagar District

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India
praying for issuance of a Writ of Mandamus to direct the respondents not



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to reclassify the land in the revenue records for S.No.1028, an extent of 2 hectares of Keezh Thiruthangal Village, Sivakasi Taluk, Virudhunagar District from 'Odai (water canal) to be used as burial and cremation ground for dead bodies as per the representation dated 23.06.2022.

For Petitioner	: Mr.V.Viswanathan
For Respondents	: Mr.AK.Manikkam for R2&R3 Social Government Pleader Mrs.S.Devasena for R1&R4 standing counsel

ORDER

(Order of the Court was made by P.N.PRAKASH, J.)

Alleging that Sivakasi City Municipal Corporation is likely to put a burial ground in S.No.1028, Keezh Thiruthangal Village, Sivakasi Taluk, Virudhunagar District, which has been classified as a Kanmoi, the present public interest litigation has been filed for a direction to the respondents not to put up the burial ground there.

2.Today, Mr.P.Kumaresan, Revenue Inspector, Sivakasi Taluk, is present.

3.The learned standing counsel for the Municipal Corporation submitted that she has no instructions in this regard.

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4.Mr.A.K.Manikkam, learned Special Government Pleader appearing for the respondents 2 and 3, submitted that till date, the revenue authorities have not received any proposal from the Corporation of Sivakasi in this regard. In such view of the matter, we are of the opinion that the present public interest litigation is premature to be entertained at this juncture. Hence, the same is dismissed. No costs. Consequently connected Miscellaneous Petition is closed.

[P.N.P., J.] & [R.H., J.]
16.08.2022

Internet : Yes
RR

To

1.The Revenue Division Officer,
Sivakasi Taluk
Sivakasi
Virudhunagar District

3.The Tahsildar
Sivakasi Taluk
Sivakasi, Virudhunagar District

4.The Commissioner
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Sivakasi Taluk, Sivakasi
Virudhunagar District



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P.N.PRAKASH, J
AND
R.HEMALATHA, J
RR

Order made in
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