



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.01.2022

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD).No.18836 of 2021

L.Muniyandi

...Petitioner

Vs.

- 1.The District Collector,
The District Collector Office,
Sivagangai.
- 2.The Project Director,
District Rural Development Agency,
Sivagangai.
- 3.The Assistant Director (Panchayat Director),
District Rural Development Agency,
Sivagangai.
- 4.The District Revenue Officer,
The Office of District Revenue Officer,
Sivagangai.
- 5.The Revenue Divisional Officer,
Revenue Divisional Officer Campus,
Sivagangai.
- 6.The Tasildhar,
Tasildhar Office,
Sivagangai District.
- 7.The Block Development Officer,
Sivagangai, Sivagangai District.
- 8.The President,
Padamathur Village,
Sivagangai Taluk,
Sivagangai.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation, dated 23.07.2021, to stop the construction of the burial ground and to take necessary action within the time fixed by this Court.

For Petitioner : Mr.K.Selvam

For R1 to R6 : Mr.S.Shanmugavel

Additional Government Pleader



ORDER

The Writ Petition has been filed in the nature of Mandamus, seeking a direction to the respondents to consider the representation of the petitioner, dated 23.07.2021 and thereby stop the construction of the burial ground in S.No.29,1/B, measuring 1.64 acres.

2.The petitioner claims that he owns the said land, which is situated at Padamathur Village, Sivagangai District. He has been enjoying the said lands, which are situated in the northern side of Madurai - Sivagangai Main Road. It is stated that the village people already have a common burial ground. Now, it is alleged that the respondents have putting up a burial ground in the said lands.

3.Mr.S.Shanmugavel, learned Additional Government Pleader who took notice on behalf of the first to sixth respondents stated that in the revenue records the land is already classified as burial ground.

4.Let the petitioner and the respondents conduct a survey of the said land and demarcate the particular area, which is shown in the revenue records as a burial ground. That portion alone may be used for construction of burial ground and if there is excess land, the petitioner may continue to occupy that particular land. This can be decided by the respondents and the petitioner, after conducting a survey. If there is no available land, then the petitioner is directed to workout his remedy elsewhere.

5.The entire exercise must be conducted jointly by the petitioner and the concerned respondents within a period of twelve weeks from the date of receipt of a copy of the order.

6.With the above observation, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

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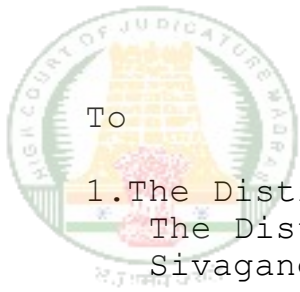
/ /2022

Sub Assistant Registrar(CS)

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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.hcscs.gov.in/hcservices>



To

- 1.The District Collector,
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