



W.P.No.7834 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

W.P.No.7834 of 2023
and
W.M.P.No.8073 of 2023

R.Suresh Babu

... Petitioner

Vs

1. The Commissioner,
Corporation of Chennai,
Ripon Buildings,
Chennai – 600 003.
2. City Health Officer,
Public Health Department,
Greater Chennai Corporation,
Ripon Buildings,
Chennai – 600 003.
3. Zonal Officer,
Greater Chennai Corporation,
Zone-7,
Tiruvallur High Road,
Ambattur,
Chennai – 600 053.

... Respondents

Prayer:– Writ Petition is filed, under the Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents to remove the illegal cremation shed behind Plot No.73, Old Survey No.236/3A Part, T.S.No. 3 Part, Ward I, Block 68, Padi Village, Ambattur Taluk, Tiruvallur District.



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For Petitioners : Mr.Bharath Chandran

For Respondents : Mr.E.C.Ramesh

ORDER

This Writ Petition has been filed to direct to dispose of the representation dated 15.02.2023 for the removal of the alleged illegal cremation shed situate behind the petitioner's house.

2. The petitioner is the owner of Plot No.73, situated on Padi Village, Ambattur Taluk, on the banks of the Cooum River, ad-measuring an extent of 1550 sq.ft.

3.The case of the petitioner is that behind the petitioner's property is a Corporation park and has been put up about 5mts from this park a cremation shed. The petitioner would state that unidentified bodies are brought to this cremation shed and burnt, without adherence to any of the environmental concerns and requirement of law. It is further stated that the cremation shed is alleged to be operated by one Grill and Small Scale Industries workers Sangam which has a dilapidated Board of sangam without any address. The fumes are carried by the winds into



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the dwelling units in the layout resulting in a grave threat to the health of the occupants.

4. The learned counsel for the petitioner would submit that according to Chennai City Municipal Corporation Act, 1919, Section 321(4) mandates that no person shall bury, burn or otherwise dispose of any corpse, except in a place which has been registered licensed, or provided as aforesaid.

5. In view of the above, without expressing any opinion on merits, this Court dispose of the Writ Petition with direction to the respondents to dispose of the representation of the petitioner on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, connected W.M.P is closed.

15.03.2023

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Index:Yes/No

Neutral Citation : Yes/No



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RMT.TEEKAA RAMAN, J.

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