



W.P.No.15243 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.07.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

W.P.No.15243 of 2023

Usha

.. Petitioner

Vs

- 1.The State of Tamil Nadu,
rep. by its Principal Secretary to Government,
Rural Development and Panchayat Raj Department,
Fort St. George, Secretariat,
Chennai-600 009.
- 2.The District Collector,
Tiruvallur District,
Tiruvallur.
- 3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Tiruvallur District.
- 4.The Block Development Officer (Village Panchayat),
Poondi Panchayt Union,
Tiruvallur District.
- 5.The Tashildar,
Tiruvallur Taluk,
Tiruvallur District.



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6. The Assistant Director (Panchayat),
Tiruvallur,
Tiruvallur District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents 2 to 3 to take action and remove the illegal encroachments made by the fourth respondent in S.No.629 to an extent of 01.32 Acres is classified as Burial Ground (Ruthraboomi) in the revenue records situated at Pattaraiperumbathur Village, Tiruvallur Taluk, Tiruvallur District by considering the representation of the petitioner dated 13.02.2023.

For the Petitioner : Mr.M.R.Elavarasan

For the Respondents : Mrs.R.Anitha
Spl. Government Pleader

ORDER

(Order of the court was made by the Hon'ble Chief Justice)

We have heard Mr.M.R.Elavarasan, learned counsel for the petitioner and Mrs.R.Anitha, learned Special Government Pleader for the respondents.

2. Learned counsel for the petitioner submits that Survey No.629 is a burial ground and no resolution is passed for



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construction in Survey No.629. According to learned counsel for the petitioner, the respondents cannot make construction on the burial ground.

3. Learned Special Government Pleader submits that the resolution is passed in respect of Survey No.619. Since 20 years, no burial has taken place in Survey No.629. Survey No.629 is near to Survey No.619.

4. It is for the Village Panchayat to pass a resolution with regard to Survey No.629 also. It is open for the Village Panchayat to do so.

5. With the above observation, the writ petition is disposed of. Consequently, W.M.P.No.14741 of 2023 is closed.

(S.V.G., CJ.)

(P.D.A., J.)

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Index : Yes/No



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Neutral Citation : Yes/No
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To

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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESAVALU, J.

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