



WEB COPY



W.P.No.17206 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2023

CORAM

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.17206 of 2023

Rani

...Petitioner

Vs.

1. The District Collector,
District Collector Office,
Krishnagiri.

2. The Tahsildar,
Krishnagiri Taluk,
Krishnagiri.

3. The Village Administrative Officer,
Maniyandapalli Village,
Krishnagiri District.

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to order to exhume the body from the petitioner's possession of land in S.No.117/5A5 comprised in Kurubarapalli Village and relocate the same in the burial ground situated in the Kurubarapalli Village, Krishnagiri Taluk, Krishnagiri District by considering the representation dated 24.04.2023 and to ensure protection of the petitioner's rights to the property.

For Petitioner : Mr.V.Gopalsamy

For Respondents : Mr.M.Alagu Goutham,
Government Advocate



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ORDER

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2. Mr.M.Alagu Goutham, learned Government Advocate, accepts notice on behalf of the respondents. In view of the consent expressed by the learned counsel appearing for either side, this petition is taken up for final disposal at the admission stage itself.

3. The case of the petitioner is that she is an agricultural coolie and after the demise of her husband, the agricultural land in S.No.117/5A5 to an extent of 0.8.00 hectare situated in Kurubarapalli Village, Krishnagiri Taluk, Krishnagiri District devolved upon the petitioner. Due to the deficit of land for burial grounds, the people of the petitioner's village were using the above said property for burying corpse. Aggrieved over the same the



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petitioner made a representation dated 24.04.2023 to the respondents seeking to exhume the bodies from the petitioner's patta land and relocate the same in the burial ground situated in the above said village. Since no response was forthcoming, the present writ petition has been filed.

4. Though very many grounds have been raised in the above writ petition, learned counsel for the petitioner submits that it would suffice if this Court issues a direction to the second respondent to consider the petitioner's representation dated 24.04.2023 and pass appropriate orders within the time frame that may be fixed by this Court.

5. On the above contentions heard learned Government Advocate appearing for the respondents and perused the materials placed on record.

6. Considering the facts and circumstances of the case, this Court without going into the merits of the case directs the second respondent to consider the petitioner's representation dated 24.04.2023 and pass appropriate orders on merits and in accordance with law within a period of four (4) weeks from the date of receipt of a copy of this order.



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M.DHANDAPANI., J.

(rap)

7. Accordingly, this writ petition is disposed of. No costs.

09.06.2023

(rap)

NCC : Yes/ No
Speaking Order : Yes/ No
Index : Yes/ No

To

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