



W.P.No.26661 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.09.2023

CORAM :

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

AND

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

W.P.No.26661 of 2023

D.Munusamy

.. Petitioner

Vs.

1. The District Collector
Thiruvallur District
Thiruvallur.

2. The Block Development Officer
Poondi Panchayat Union
Thiruvallur District.

3. The Tahsildar
Uthukkottai Taluk
Uthukkottai
Thiruvallur District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus forbearing the respondents from forming a new cremation ground in S.No.160/3, in No.28, Velagapuram Village, Velagapuram Panchayat, Poondi Panchayat Union, Uthukkottai



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WEB COPY Taluk, Thiruvallur District, by considering the representation dated 08.07.2023.

For the Petitioner : Mr.P.Raja

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

ORDER
(Made by the Hon'ble Chief Justice)

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

2. The contention of the petitioner is that S.No.160/3 is being used as a crematorium and the same is within 50 metres of the waterbody situated in S.No.160/1. The said statement is on the premise that a body was burnt in S.No.160/3.

3. A crematorium or a burial ground has to be on a licensed premises. If the body is burnt in S.No.160/3, which is not licensed, then the same, certainly, would be illegal and the authorities also



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have power to exhume the body.

4. In view of that, it is for the government officials to supervise that no cremation takes place in an unlicensed premises. The respondents shall inspect the land in S.No.160/3 and if it is not a licensed crematorium or a burial ground, then, they shall ensure that no cremation or burial takes place. In case, S.No.160/3 is a licensed crematorium or burial ground, then, the said license will have to be assailed by the petitioner.

5. The writ petition is disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)

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Index : Yes/No
Neutral Citation : Yes/No

kpl



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