



WP No.31913 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.11.2023

CORAM

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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G.Tamil Arasan

: Petitioner

versus

- 1.The District Collector,
Office of the Collectorate,
Sathuvachari, Vellore 632 009
- 2.Assistant Director, Town Panchayat,
District Office of the Collectorate,
Vellore District 632 009
- 3.The Executive Officer, Town Panchayat,
Pennathur Panchayat, Pennathur 632 058
- 4.Panchayat President,
Pennathur Panchayat, Pennathur 632 058
- 5.The Village Administrative Officer,
Kandhaneri, Pallikonda, Vellore 635 809

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to stop the electric crematorium in Pennathur Village, Vellore District by considering the representation dated 09.10.2023 issued to stop the electric crematorium.

For the Petitioner : Mr.M.Balaji



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For Respondents
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: Mr.P.Muthukumar,
State Government Pleader

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.M.Balaji, learned counsel for the petitioner and Mr.P.Muthukumar, learned State Government Pleader, for the respondents.

2. The learned counsel for the petitioner submits that the respondents are intending to erect electric crematorium. Due to the construction of the electric crematorium, when corpses are burnt, poisonous smoke coming out of the crematory would pollute the air in the locality. There are many other public places available outside the city. The discharge waste would affect almost 100 acres of agricultural land in the nearby vicinity. Almost 1500 families are residing near the said village.

3. The learned State Government Pleader on instructions submits that the electric crematorium is constructed at S.No.149/9. The said survey number is classified as a burial ground and is used as a burial



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ground since decades.

4. If the burial/cremation was permitted since decades, then, the petitioner cannot object for an electric crematorium, as the site is classified and reserved for burial ground.

5. Of course, it is also the responsibility of the respondents to maintain the highest hygienic standards and take care that no air and water pollution takes place.

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

(S.V.G., CJ.)

(D.B.C., J.)

08.11.2023

Index : Yes/No
Neutral Citation : Yes/No
tar

To

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