



W.P.(MD)No.8348 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 17.10.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.8348 of 2021

T.Antony Leo

... Petitioner

vs.

1.The District Collector,
Kanyakumari District at Nagercoil.

2.The Revenue Divisional Officer,
Nagercoil, Kanyakumari District.

3.The Tahsildar,
Agasteeswaram Taluk,
Kanyakumari District.

4.S.Azhaguvel
5.N.Murugesan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent from in any way preventing the petitioner to bury the dead bodies of the members of the Church of Jesus' Bride in the property of the petitioner's church bearing New survey No.347/13, Dharmapuram Village, Agasteeswaram Taluk, Kanyakumari District by considering the representation of the petitioner dated 08.02.2021.



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For Petitioner
For R1 to R3

:Mr.S.C.Herold Singh
:Mrs.D.Farjana Ghousia
Special Government Pleader

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus directing the respondents to consider the representation made by the petitioner on 08.02.2021, wherein, the petitioner is seeking to restrain the respondents from preventing burial of dead bodies in the subject property.

2.Heard Mr.S.C.Herold Singh, learned Counsel appearing on behalf of the petitioner and Ms.D.Farjana Ghousia, learned Special Government Pleader appearing on behalf of the respondents 1 to 3.

3.It is brought to the notice of this Court that the subject property falls within the jurisdiction of Dharmapuram Panchayat, Agastheeswaram Taluk, Kanyakumari District.

4.The Hon'ble Full Bench of this Court has now dealt with this issue in *Jegadheeswari and others vs A.Babu Naidu and others* in

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W.A.No.1037 of 2023, dated 20.07.2023. The same shall be taken into consideration by the official respondents and it shall be strictly complied with.

5.In view of the same, the official respondents shall deal with the representation made by the petitioner in line with the judgment of Hon'ble Full Bench of this Court in ***Jegadheeswari and others vs A.Babu Naidu and others*** in **W.A.No.1037 of 2023**, referred to supra.

6.The Writ Petition is disposed of in the above terms. No costs.

Index :Yes / No
Internet :Yes
NCC : Yes/No

17.10.2023

cmr

To

- 1.The District Collector,
Kanyakumari District at Nagercoil.
- 2.The Revenue Divisional Officer,
Nagercoil,
Kanyakumari District.
- 3.The Tahsildar,
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N.ANAND VENKATESH, J.

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