



W.P.(MD)No.11371 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.05.2023

CORAM

**THE HON'BLE MRS.JUSTICE R.THARANI**

W.P.(MD)No.11371 of 2023

Mohan

... Petitioner

Vs.

- 1.The District Collector,  
Pudukkottai District.
- 2.The Superintendent of Police,  
Pudukkottai.
- 3.The Revenue Divisional Officer,  
Illupur,  
Pudukkottai District.
- 4.The Deputy Superintendent of Police,  
Illupur,  
Pudukkottai District.
- 5.The Inspector of Police,  
Annavasal Police Station,  
Pudukkottai

... Respondents

**PRAYER :** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the



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respondents 2, 3, 4 and 6 to take appropriate steps for shift the dead body of Nageswari buried in front of the petitioner's house, to Mettupatty village, Illupur Taluk.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondents : Mr.M.Muthumanikkam,  
Government Advocate(Crl.side)

### **ORDER**

This writ petition has been filed to direct the respondents 2, 3, 4 and 6 to take appropriate steps for shift the dead body of Nageswari buried in front of the petitioner's house, to Mettupatty village, Illupur Taluk.

2.On the side of the petitioner, it is stated that the wife of the petitioner's elder brother committed suicide by consuming poison and the family members of the deceased, after taking the body from the Hospital, buried the same in front of the house of the petitioner. They have not buried the body in a proper manner and hence, a bad smell came out and



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the petitioner and neighbours are affected. There is chance of spreading disease. Therefore, the petitioner sought police protection to shift the dead body to the burial ground.

3. There is no objection on the side of the respondents.

4. In view of the same and considering the fact that there is possibilities to spread disease, the petitioner is permitted to shift the dead body of his brother's wife, after following the due procedure and bury the same in the burial ground, after getting permission from the concerned authorities. Accordingly, this writ petition is allowed. No costs.

**04.05.2023**

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



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**R.THARANI, J.,**

gns

To

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Pudukkottai.
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- 4.The Deputy Superintendent of Police,  
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