



W.P(MD)No.4982 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.08.2023

CORAM :

**THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
AND
The HON'BLE MR.JUSTICE P.VADAMALAI**

W.P(MD)No.4982 of 2018
and
W.M.P(MD)No.4971 of 2018

B.Ponnupillai

... Petitioner

Vs.

- 1.The District Collector,
Kanyakumari District,
At Nagercoil.
- 2.The Revenue Divisional Officer,
Padmanabhapuram,
Kanyakumari District.
- 3.The Executive Officer,
Vellimalai Town Panchayat,
Thirunainarkurichi,
Ammandivilai Post,
Kanyakumari District.
- 4.The Deputy Director,
Health and Preventive Medicine,
Krishnancoil, Nagercoil,
Kanyakumari District.
- 5.S.Gopal Surendran
- 6.Mrs.Krishna

.. Respondents



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PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus, directing the respondents 1 to 4 not to entertain any applications for approval of the unauthorized construction of a cremation shed (crematorium) in Re.Survey No.412/3 from the legal heirs of deceased Dr.Surendran being 5th and 6th respondents as well as to take suitable steps to demolish and or remove the unauthorized constructions as cremation shed (crematorium) Re.Survey No.412/3 Attinkarai, Manavalakurichi, Kanyakumari District so as to comply and respect the Government Orders as well as Hon'ble High Court judgments above said supra.

For Petitioner : No Appearance

For R-1 to R-4 : Mr.D.Sachikumar,
Additional Government Pleader

For R-5 & R-6 : No Appearance

ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

We have heard Mr.D.Sachikumar, learned Additional Government Pleader for respondents 1 to 4.

2. The learned Additional Government Pleader appearing for the third respondent submits that the petitioner is dead.



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3. No steps have been taken to bring the legal representatives of the petitioner on record to prosecute the writ petition.

4. The grievance of the petitioner was about the usage of a land for burial ground without a licence.

5. It is trite that a land cannot be allowed to be used for burial purposes without licence from the authority.

6. It is for the third respondent to take necessary steps in that record.

7. As the petitioner is dead, the writ petition stands disposed of as abated.

No Costs. Consequently, connected miscellaneous petition is closed.

(S.V.G., CJ.)

(P.V.M., J.)

28.08.2023

NCC :Yes/No
Index :Yes/No
PM



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THE HON'BLE CHIEF JUSTICE
and
P.VADAMALAI, J.

PM

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