



W.P(MD)No.21328 of 2014

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.21328 of 2014 and
MP(MD) No.2 of 2014

1.R.Anbu Selvan
2.S.Simon
3.M.Arjunan
4.John Peter Jeba Raj

...Petitioners

Vs

1.The District Collector,
Madurai District,
Madurai.

2.The Revenue Divisional Officer,
O/o The Revenue Divisional Officer,
Madurai District.

3.The Tahsildar,
Thirupparamkundram Taluk,
Madurai District.

4.The Commissioner of Corporation,
O/o The Commissioner of Corporation,
Annamaligai,
Madurai District.

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the respondents from using the lands in Survey No.98-60/12 to an extent of 0.15 cents at Ponmeni Village, Muthupandi Nagar, Madurai District as a burning ground and consequently direct the respondent to shift the burning ground to any other place within the time frame stipulated by this Court.

For Petitioner	: Mr.S.Rajasekar
For R1 to R3	: Mr.G.V.Vairam Santhosh Additional Government Pleader
For R4	: Mrs.R.Devasena

ORDER

This writ petition was filed for a Mandamus, forbearing the respondents from using the lands in Survey No.98-60/12 to an extent of 0.15 cents at Ponmeni Village, Muthupandi Nagar, Madurai District as a burial ground and consequently direct the respondent to shift the burning ground to any other place within the time frame stipulated by this Court.

2.This writ petition was filed on 16.12.2014 and when it was listed for hearing on 05.01.2015, this Court directed the petitioner to produce necessary approval that he has obtained for



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construction of a house in that area and adjourned the case by two weeks. Thereafter, this writ petition was periodically adjourned as requested by the learned counsel for the petitioner. Even today, the petitioner has not produced any approval granted to him for construction of the house.

3.Considering the fact that this writ petition is pending from the year 2014 even without admission and not even a notice has been ordered, and also considering that the petitioners have not taken any serious steps for these years and the land may also be in use as burial ground, this Court is not inclined to issue any direction to the respondents at this stage.

4.Accordingly, this writ petition is dismissed. No costs.
Consequently, connected Miscellaneous Petition is closed.

21.04.2023

NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

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B.PUGALENDHI, J.

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W.P(MD)No.21328 of 2014 and
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