



W.P(MD)No.3707 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.07.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.3707 of 2015
and
M.P.(MD)Nos.1 and 2 of 2015

Sangaiah

... Petitioner

Vs.

- 1.The District Collector,
Collectorate Complex,
Dindigul,
Dindigul District.
- 2.The Revenue Divisional Officer,
Collectorate Complex,
Dindigul,
Dindigul District.
- 3.The Special Tahsildar,
Adhi Dravidar Welfare Department,
Collectorate Complex,
Dindigul,
Dindigul District.
- 4.The Tahsildar,,
Natham Taluk,
Natham,
Dindigul District.



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5.The Block Development Officer,
Natham Taluk, Natham,
Dindigul District.

6.The Panchayat President,
Sathampadi Panchayat,
Natham Panchayat Union,
Dindigul District.

7.Pandiyan

8.Chelliah

9.Chinnaiah

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 6 to provide road facilities to the petitioner's Komanampatti Adi Dravidar Colony People for taking their dead persons "Corpses" to their "Graveyard" situated at Sy. No.30/6, Komanampatti, Natham taluk, Dindigul District.

For Petitioner : Mr.R.Murugappan

For Respondents : Mr.D.Gandhiraj,
Spl. Government Pleader for R1 to R4.
Mr.Aayiram K.Selvakumar for R5 & R6.
Mr.N.Murugesan for R7 to R9.



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ORDER

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The writ petitioner is no more. He passed away on 30.10.2017. But the issue is very much alive. Therefore, the writ petition cannot be closed as abated or infructuous.

2.The case projected in the writ petition is that the families residing in Adi Dravidar Colony, Komanampatti village, Sathampadi Post, Natham Taluk, Dindigul District are unable to take their dead bodies for cremation / burial. Since the dominant castes in the village are preventing them, the residents of Adi Dravidar Colony are facing considerable difficulties. They therefore want the authorities to form a road.

3.The Tahsildar, Natham informed the Court through the learned Special Government Pleader that since there are patta lands located in middle, it is difficult to form a road as demanded in the writ petition. It is however stated that the land holders are not raising any objection.



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4.Even while placing the stand of the Tahsilar on record, I direct the respondents 1 to 6 that as and when occasion arises for taking the dead bodies from Komanampatti Adi Dravidar Colony to the burial ground, proper arrangements as well as protection, if necessary shall be provided. In other words, the residents of Adi Dravidar Colony should not be put to any embarrassment or difficulty or loss of dignity while taking the dead bodies to the burial ground / cremation ground.

5.This writ petition is allowed on these terms. No costs.
Consequently, connected miscellaneous petitions are closed.

20.07.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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