



W.P(MD)No.24587 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 16.11.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.24587 of 2023

C.Karthick

... Petitioner

Vs.

- 1.The District Collector,
Karur District,
Collectorate,
Thanthonimalai,
Karur - 639 005.
- 2.The Tahshildhar,
Karur Taluk,
Taluk Office Campus,
Karur.
- 3.The Village Administrative Officer,
Karudayampalayam Panchayat,
Karudayampalayam Panchayat Office,
Pugalur Taluk, Karur - 639 111.
- 4.The President,
Karudayampalayam Panchayat,
Karudayampalayam Panchayat Office,
Pugalur Taluk, Karur - 639 111.
- 5.The Superintendent of Police,
Karur District, Thanthonimalai,
Karur.



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6.The Sub-Inspector of Police,
Paramathi Police Station,
Paramathi.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent and other officials to take action against the people of Karudhayampalayam Village for burying the dead body in Survey Number 83/12 of Karudayampalayam Village, Pugalur Taluk, Karur District other than the place designated for burying and burning dead persons and to exhume the body and bury the same in the designated burial ground situated at Survey Numbers 493 and 557 of Karudayampalayam Village, Pugalur Taluk, Karur District.

For Petitioner : Mr.E.K.Kumaresan

For Respondents : Mr.M.Sidharthan,
Addl. Government Pleader for R1 to R3.
Mr.P.Thambidurai,
Government Advocate for R4.
Mr.A.Albert James,
Government Advocate for R5 & R6.



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ORDER

Heard both sides.

2.No exception can be taken to the writ prayer. All that the petitioner wants is that cremation and burial of dead bodies should take place only at the designated sites.

3.The Hon'ble Full Bench in the decision reported in **2023 (4) CTC 481 (Jagadheeswari Vs. B.Babu Naidu)** had already clarified the legal position. It is duty of the official respondents to ensure that cremation and burial takes place only at the notified sites.

4.This writ petition is allowed accordingly. No costs.

16.11.2023

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