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W.P. No. 7423 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.03.2024

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 7423 of 2024

Hanna Synthia Rani

... Petitioner

-VS-

1. The Commissioner,
Greater Chennai Corporation,
Rippon Buildings,
Chennai - 600 003.

2. The Zonal Officer,
Zone - 6, Greater Chennai Corporation,
Pattalam,
Chennai - 600 012.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondents to allow/permit the Petitioner towards exhumation and shifting of the buried coffin of the Petitioner's husband Late D.J.Richard from Corporation Burial Ground at Kolathur to the Church Cemetery at Bricklin Road, Vepery, Chennai on the basis of the representation dated 08.02.2024, acknowledged on 10.02.2024.

For Petitioner : Mr. L.Chandrakumar

For Respondents : Mrs. P.T.Ramadevi, Standing Counsel



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ORDER

Heard Mr. L.Chandrakumar, Learned Counsel for the Petitioner and Mrs. P.T.Ramadevi, Learned Standing Counsel, who takes notice for the Respondents, and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance ventilated by the Petitioner is that she had made a representation dated 08.02.2024 to the First Respondent to exhume and shift the buried coffin of her deceased husband, viz., D.J.Richard, from Corporation Burial Ground at Kolathur to the Church Cemetery at Bricklin Road, Vepery, Chennai, but as it did not evoke any response, it has necessitated the filing of this Writ Petition.

3. Having regard to the limited nature of relief sought, this Court without expressing any view on the merits of the controversy involved, passes the following order:-

- (i) the concerned authority shall immediately examine the representation dated 08.02.2024 made by the Petitioner including ascertaining as to



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whether the Petitioner would be entitled for the relief claimed;

- (ii) if it is found that any other details or supporting documents is necessary, the deficiencies in that regard shall be informed in writing to the Petitioner requiring the same to be furnished within a time frame of not less than 10 working days for the same;
- (iii) in the event of not being satisfied with the requirements even thereafter, an enquiry shall be conducted affording full opportunity of personal hearing to the Petitioner and all other persons concerned to explain their position in that regard;
- (iv) a reasoned order shall be passed dealing with each of the contentions raised on merits and in accordance with law and the decision taken communicated under written acknowledgment; and
- (v) the report of such compliance shall be filed by 30.06.2024 before the Registrar (Judicial) of the Court.

In the result, the Writ Petition is disposed on the aforesaid terms. No costs.

22.03.2024

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 28.03.2024.



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To

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1. The Commissioner,
Greater Chennai Corporation,
Rippon Buildings,
Chennai - 600 003.
2. The Zonal Officer,
Zone - 6, Greater Chennai Corporation,
Pattalam,
Chennai - 600 012.

Copy to

The Registrar (Judicial),
Madras High Court,
Chennai - 600 104.



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P.D. AUDIKESAVALU, J.

vjt

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22.03.2024