



WEB COPY



W.P.No.22951 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2024

CORAM :

THE HONOURABLE MR. R. MAHADEVAN, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR. JUSTICE MOHAMMED SHAFFIQ

W.P.No.22951 of 2023

Mahesh

... Petitioner

Vs.

1.The District Collector,
District Collector Office,
Erode.

2.The Tahsildhar,
Anthiyur, Erode District.

3.The Assistant Engineer,
Public Works Department,
(Water Resources Management),
Backside to Sub-Registrar Office,
Anthiyur, Erode District.

4.The Block Development Officer,
Anthiyur, Erode District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus, to direct the respondents to take appropriate action by not allowing anyone to bury or burn the dead bodies at Bund of the Water Channel existing at R.S.No.1013 and 1014 of Anthiyur A Revenue Village, Anthiyur Taluk, Erode District by considering the representations of the petitioner dated 24.04.2023 and 24.07.2023.



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For petitioner : Mr.R.Nalliyappan
For respondents : Mr.Edwin Prabhakar
State Government Pleader

ORDER

(Order of the Court was made by Hon'ble Acting Chief Justice)

The petitioner has filed this writ petition seeking issuance of writ of mandamus to take appropriate action by not allowing anyone from burying or burning dead bodies at the bund of the Water Channel existing at R.S.Nos.1013 and 1014 of Anthiyur A Revenue Village, Anthiyur Taluk, Erode District, by considering the representations of the petitioner dated 24.04.2023 and 24.07.2023.

2. Today, when the matter is taken up for hearing, Mr. Edwin Prabhakar, learned State Government Pleader, on instructions, submitted that there is no specific area in R.S. Nos.1013 and 1014 earmarked for the purpose of burying, and steps have been taken to prevent burial of the dead bodies in the Odai. The learned State Government Pleader also produced the Reference No. 5429/2023/A1, dated 06.06.2024, of the Tahsildar addressed to him, wherein in paragraph No.3 it is stated as follows:



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"It is to inform that the above lands in dispute are vested with the Public Works Department, i.e., the office of the third respondent. Also, the graveyards are under the maintenance and administration of the Local Body Department. Hence, the letter was sent to the Public Works Department to take necessary action to prevent the Odai from burying the dead body. Also, a letter was sent to the Block Development Officer, Anthiyur, seeking alternative land or to take action to instruct the public concerned to use the graveyard existing in Anthiyur 'A' Village. After obtaining the reply from the above officials, necessary action would be taken."

3. Recording the above, the writ petition is closed. There is no order as to costs.

[R.M.D., A.C.J.] [M.S.Q, J.]
10.06.2024

r n s

Index: Yes / No.
Speaking order/ Non-speaking order
Neutral Citation: Yes / No.



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THE HON'BLE ACTING CHIEF JUSTICE
and
MOHAMMED SHAFFIQ, J.

r n s

To

- 1.The District Collector,
District Collector Office,
Erode.
- 2.The Tahsildhar,
Anthiyur, Erode District.
- 3.The Assistant Engineer,
Public Works Department,
(Water Resources Management),
Backside to Sub-Registrar Office,
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