



WEB COPY



W.P.No.33493 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.12.2024

CORAM :

THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.33493 of 2024
and W.M.P.No.36260 of 2024

R.Ashok

.. Petitioner

Vs

- 1.The Member Secretary,
Chennai Metropolitan Development Authority (CMDA),
Thalamuthu – Natarajan Maligai,
Egmore, Chennai-600 008.
- 2.The District Collector,
Chengalpattu District Collector Office,
Chengalpattu-603 001.
- 3.The Commissioner,
St. Thomas Mount Panchayat Union,
Chitlapakkam,
Chennai-600 064.
- 4.The Executive Officer,
Kovilambakkam Panchayat & Village,
Kovilambakkam,
Chennai-600 17.



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5.The Thasildhar,
Tambaram Thasildhar Office,
Chennai-600 045.

6.The Thasildhar,
Sholinganallur Thasildhar Office,
Chennai-600 119.

7.The Village Administrative Officer,
Nanmangalam Village Administrative Office,
Ullagaram,
Chennai-600 117.

8.The Village Administrative Officer,
Madaipakkam-2 Village Administrative Office,
Madipakkam,
Chennai-600 091.

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus forbearing the respondents 1 to 7 from putting up any burial ground situated at Survey No.432, Kulathur Village, St. Thomas Mount Panchayat Union, Chengalpattu District which is classified as “Anadheenam Land” measuring to an extent of Hectare 01 Ares 74.00 and the adjacent land in Survey No.90 which is water body at Kovilambakkam Village, St. Thomas Mount Panchayat Union, Chengalpattu District which is classified as “Periya Eri Poramboke” by considering petitioner's representation dated 24.9.2024.



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For Petitioner : Mr.G.V.Sridharan

For Respondents : Mrs.P.Veena Suresh
Standing Counsel
for respondent No.1

: Mr.A.Edwin Prabakar
State Government Pleader
assisted by
Mr.Karthik Jegannath
Government Advocate
for respondent Nos.2 to 8

ORDER

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

Counsel's argument was old burial ground, which was there at Survey No.432, be not converted into a park, but should be retained as a burial ground. But the prayer in the petition as well as in the affidavit is to the contrary i.e., respondent Nos.1 to 7 should not permit any burial ground to be put up in the said survey land.

2. When we brought this to the notice of the counsel, counsel sought leave to withdraw the petition with liberty to file a fresh petition.



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3. Petition is dismissed as withdrawn. Liberty refused. There shall be no order as to costs. Consequently, interim application stands closed.

(K.R.SHRIRAM, C.J.)

(SENTHILKUMAR RAMAMOORTHY,J.)

05.12.2024

Index : Yes/No
NC : Yes/No
bbr

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