



W.P.(MD).No.12807 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.11.2024

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD).No.12807 of 2017

and

W.M.P.(MD)No.13619 of 2017

J.Packiaraj Mohan @ Packiaraj

...Petitioner

Vs

1.The District Collector,
Thirunelveli District,
Thirunelveli.

2.The Superintendent of Police,
Palayamkottai,
Thirunelveli District.

3.The Revenue Divisional Officer,
Cheranmahadevi,
Thirunelveli District.

4.The Tahsildar,
Radhapuram Taluk,
Thirunelveli District.

5.The Sub Inspector of Police,
Pazhavor Police Station,
Thirunelveli District.

6.P.Selvamani

7. Annammal

... Respondents



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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, 3 and 4 to remove the dead body the son of the respondents 6 and 7 namely Jebakumar by considering the petitioner's complaint dated 08.06.2017.

For Petitioner : Mr.A.Robinson

For R-1 to R-5 : Mr.J.K.Jayaselan
Government Advocate

For R-6 and R-7 : No Appearance

ORDER

Heard Mr.A.Robinson, learned counsel for the petitioner and Mr.J.K.Jayaselan, learned Government Advocate for the respondents 1 to 5.

2. This Writ Petition has been filed praying for a Mandamus, directing the respondents 1, 3 and 4 to remove the dead body, the son of the respondents 6 and 7 viz., Jebakumar by considering the petitioner's complaint dated 08.06.2017.



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2. The issue involved in the Writ Petition is no longer res integra, as it is covered by the Full Bench of this Court in the case of ***Jagadheeswari and others v. B.Babu Naidu and others (W.A.No.1037 of 2023 dated 20.07.2023)*** reported in ***(2023) 2 Writ LR 159 (FB)***. The Full Bench of this Court had dealt with this issue in detail and had issued various directions to the revenue authorities. The petitioner had made a representation to the fourth respondent, complaining that Jebakumar, the son of the sixth and seventh respondents, had died and was illegally buried in the petitioner's land by the named individuals. However, the respondents have yet to consider this representation.

3. In such view of the matter, the fourth respondent is directed to consider the representation of the petitioner by applying the principles laid down by the Full Bench of this Court stated supra. Such exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.



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4. In the light of the judgment cited supra and with the above direction, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

18.11.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr

To:

- 1.The District Collector,
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- 3.The Revenue Divisional Officer,
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Thirunelveli District.
- 4.The Tahsildar,
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- 5.The Sub Inspector of Police,
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K.KUMARESH BABU, J.

Nsr

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