



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-02-2025

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CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 6488 of 2025

AND

WMP NO. 7146 OF 2025 and WMP NO. 7150 OF 2025

1. RAJAMMAL

W/o Late Arunagiri Vinayagar Kovil
Street Kalliyankunnam Village
Elapakkam Post 603201 Madurantakam
Taluk Chengalpattu District

2. Kanniappan @ Babu

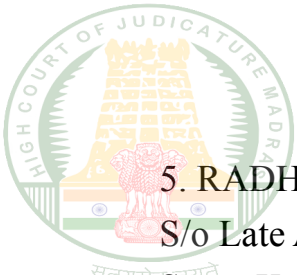
S/o Late Arunagiri Vinayagar Kovil
Street Kalliyankunnam Village
Elapakkam Post 603201 Madurantakam
Taluk Chengalpattu District

3. ELLAMMAL

D/o Late Arunagiri Vinayagar Kovil
Street Kalliyankunnam Village
Elapakkam Post 603201 Madurantakam
Taluk Chengalpattu District

4. PERUMAL

S/o Late Arunagiri Vinayagar Kovil
Street Kalliyankunnam Village
Elapakkam Post 603201 Madurantakam
Taluk Chengalpattu District



5. RADHAKRISHNAN

S/o Late Arunagiri Vinayagar Kovil
Street Kalliyankunnam Village
Elapakkam Post 603201 Madurantakam
Taluk Chengalpattu District

6. LAKSHMI

D/o Late Arunagiri Vinayagar Kovil
Street Kalliyankunnam Village
Elapakkam Post 603201 Madurantakam
Taluk Chengalpattu District

7. GOPAL

S/o Late Arunagiri Vinayagar Kovil
Street Kalliyankunnam Village
Elapakkam Post 603201 Madurantakam
Taluk Chengalpattu District

8. JAYAMANI

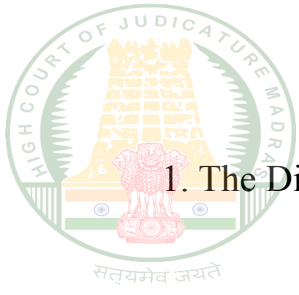
W/o Late Murugan Vinayagar Kovil
Street Kalliyankunnam Village
Elapakkam Post 603201 Madurantakam
Taluk Chengalpattu District

9. SARATHY

S/o Late Murugan Vinayagar Kovil
Street Kalliyankunnam Village
Elapakkam Post 603201 Madurantakam
Taluk Chengalpattu District

Petitioner(s)

Vs

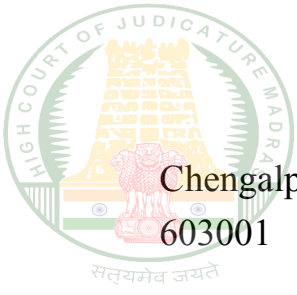


1. The District Collector

WEB COPY

WP No. 6488 of 2025





Chengalpattu District Chengalpattu
603001

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2.The Revenue Divisional Officer
Madurantakam Madurantakam 603306

3.The Tahsildar
Madurantakam Taluk Madurantakam
603306

4.The Special Tahsildar
Adi Dravida Welfare Madurantakam
Madurantakam 603306

5.The Block Development Officer
Acharapakkam Acharapakkam 603301

6.The Deputy Superintendent Of Police
Madurantakam Madurantakam 603306

7.The Inspector Of Police
G3 Acharapakkam Police Station
Acharapakkam 603301

8.The Sub Inspector Of Police
G8 Orathy Police Station Orathy
603307

9.The Village President
Porpanangaranai Panchayat Elapakkam
603201 Madurantakam Taluk
Chengalpattu District

10.PURUSHOTHAMAN



Valluvar Natham Porpanangaranai
Colony Elapakkam 603201
Madurantakam Taluk Chengalpattu
District

11.SAMPATH

S/o Kali Valluvar Natham
Porpanangaranai Colony Elapakkam
603201 Madurantakam Taluk
Chengalpattu District

12.ANBARASU

S/o Karunanidhi Valluvar Natham
Porpanangaranai Colony Elapakkam
603201 Madurantakam Taluk
Chengalpattu District

13.MURUGAVEL

S/o Sivapadham Valluvar Natham
Porpanangaranai Colony Elapakkam
603201 Madurantakam Taluk
Chengalpattu District

14.RAJAVEL

S/o Devaraj Valluvar Natham
Porpanangaranai Colony Elapakkam
603201 Madurantakam Taluk
Chengalpattu District

15.NATARAJ

S/o Rathinam Valluvar Natham
Porpanangaranai Colony Elapakkam
603201 Madurantakam Taluk
Chengalpattu District



Respondent(s)

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PRAYER

This Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Certiorarified Mandamus Calling for the entire records relating to the 2nd respondent's proceedings in Na.Ka.No.3886/2024/A and order dated 10.12.2024 quash the same and direct respondents nos.1 to 3 and 6 to 8 herein to forbear from permitting the residents of Valluvar Natham Residential Colony also known as Porpanangaranai Colony, Porpanangaranai village Elapakkam post 603201, Madurantakam Taluk Chengalpattu district or anyone else other than the petitioners from using the petitioners agricultural lands comprised in survey nos.168/7A and 168/7B of Annaikunnam Revenue Village Porpanangaranai panchayat Madurantakam Taluk Chengalpattu district as pathway for carrying any dead body or for any other purposes and to prevent all persons other than the petitioners herein from using the petitioners said property as pathway as stated above

For Petitioner(s): B.K.SREENIVASAN
S.SIDHARTHAN
L.KRISHNAMOORTHY

For Respondent(s): A.SELVENDRAN SGP to R! To
R4
Mrs.P.Rajarasjeswari,
Government Advocate for R4
and R9



WEB COPY

WP No. 6488 of 2025



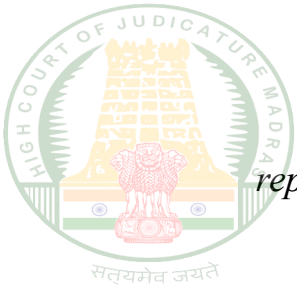
Mr.R.Vinoth Raj, Additional
Public Prosecutor for R6 to R8

ORDER

This writ petition has been filed challenging the proceedings of the 2nd respondent dated 10.12.2024 and for a consequential direction to the respondents to forbear from permitting the residents of Valluvar Natham Residential Colony members from using the patta land belonging to the petitioner to carry the dead bodies to the burial ground.

2. When the matter came up for hearing on 26.02.2025, this Court passed the following order:-

The so-called impugned order that has been produced before this Court dated 10.12.2024 does not carry any signature and there is no indication that such order was passed by the 2nd respondent. The proceedings were conducted by the 2nd respondent based on the complaint which resulted in Section 107 of Cr.P.C., proceedings initiated by the 2nd respondent. Hence, the learned Special Government Pleader shall take instructions as to whether any order was passed by the 2nd respondent in this regard and



report before this Court.

2.Post this case at the end of the motion list on 28.02.2025.

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3. When the matter was taken up for hearing today, the learned Special Government Pleader produced the proceedings that took place under Section 107 of Cr.PC. On carefully going through the same, it is seen that the subject property is the patta land belonging to the petitioner. That apart, there is also an alternative route available for carrying the dead bodies. Therefore, it has been decided that if in case the patta land belonging to the petitioner is used as the access to the burial ground, the same will be acquired in the manner known to law.

4. In the light of the above decision taken by the 2nd respondent, the apprehension raised by the petitioner has been sufficiently answered and until an effective measure is taken, the patta land belonging to the petitioner shall not be used as an access for carrying the dead bodies to the burial ground and the alternative route that is available shall be utilised. The 6th respondent viz., the

Deputy Superintendent of Police, Madhurantagam, shall ensure that no law and



order problem is created by any one in this regard.

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5. This writ petition is disposed of in the above terms. No costs.

Consequently, the connected miscellaneous petitions are closed.

28-02-2025

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To

1.The District Collector
Chengalpattu District Chengalpattu
603001

2.The Revenue Divisional Officer
Madurantakam Madurantakam 603306

3.The Tahsildar
Madurantakam Taluk Madurantakam
603306

4.The Special Tahsildar
Adi Dravida Welfare Madurantakam
Madurantakam 603306

5.The Block Development Officer
Acharapakkam Acharapakkam 603301



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6.The Deputy Superintendent Of Police
Madurantakam Madurantakam 603306

7.The Inspector Of Police
G3 Acharapakkam Police Station
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8.The Sub Inspector Of Police
G8 Orathy Police Station Orathy
603307

9.The Village President
Porpanangaranai Panchayat Elapakkam
603201 Madurantakam Taluk
Chengalpattu District

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



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N.ANAND VENKATESH J.
rka

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AND WMP NO. 7146 OF
2025, WMP NO. 7150 OF
2025**

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