



W.P.No.22260 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.22260 of 2016

and

W.M.P.No.18991 of 2016

Dr.Ganapathy Suresh,
President,
Pine Flat Owners' Welfare Association (PFOWA),
No.1014, Pine Block,
Orchid Springs,
No.54, Water Canal Road,
Korattur, Chennai – 600 076.

...Petitioner

-Vs-

- 1.The Corporation Commissioner,
Greater Chennai Corporation,
Chennai.
- 2.Tamil Nadu Pollution Control Board,
No.76, Mount Salai,
Guindy, Chennai – 600 032.
- 3.City Health Officer,
Public Health Department,
Corporation of Chennai,
Ripon Building,
Chennai – 600 003.
- 4.Zonal Officer Zone 7,
No.536, Chennai Tiruvallur Highway Road,
Ambattur, Opposite Dunlop Company,
Chennai – 600 053.



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5.Executive Engineer, Zone 7,
No.536, Chennai Tiruvallur Highway Road,
Ambattur, Opposite Dunlop Company,
Chennai – 600 053.

6.Health Officer, Zone 7,
No.536, Chennai Tiruvallur Highway Road,
Ambattur, Opposite Dunlop Company,
Chennai – 600 053.

7.Assistant Engineer, Korattur,
Division 83, Corporation of Chennai,
Korattur.

8.The Member Secretary,
Chennai Metropolitan Development Authority,
No.1, Gandhi Irwin Road, Egmore,
Chennai – 8.

***R-8 suo motu impleaded as per order dated 15.07.2016*

9.M/s.Alliance Projects,
No.556, Jeevan Anand Building,
2nd Floor, Anna Salai, Chennai – 18.

...Respondents

***R-9 suo motu impleaded as per order dated 10.11.2017*

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Mandamus, direction to the respondents to consider the petitioner's representation dated 31.01.2016 and pass orders by not permitting to cremate bodies at Kandigai Street Crematorium at Korattur, Chennai, Zone 7, Division 083 and pass such further orders.



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For Petitioner : Mr.M.Madhu Prakash
For R1, R3 to R7 : Mr.S.Gopinathan,
Standing Counsel
For R2 : Mr.B.N.Suchindran,
Standing Counsel
For R8 : Mr.P.Tamil Mani

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 31.01.2016 and pass orders by not permitting the cremation of bodies at Kandigai Street Crematorium at Korattur, Chennai, Zone 7, Division 083.

2. This Court by order dated 25.11.2019, passed the following order:

“As per the earlier order of this Court, Mr.T.C.Gopalakrishnan, learned counsel for the Chennai Corporation submitted that for creating a modern crematorium, a sum of Rs.2.5 crores is required and it could be created in the present grave yard. However, Mr.Madhu Prakash, learned counsel for the petitioner would submit that to create a modern crematorium at least 20,000 sq.ft., area is required. Further, the Assistant Health Officer of Corporation who is present before this



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Court would submit that 5000 sq.ft., is available presently and that area would be sufficient to create a modern crematorium.

2. Therefore, the details regarding the creation of modern crematorium within the available place including the present extent of the graveyard viz., length and breadth along with the sketch has to be produced before this Court on the next hearing”

3. Pursuant to the above order, the 4th respondent inspected the subject matter site and filed a status report dated 19.03.2020, which read as follows:

5. It is submitted that pursuant to the above orders of this Hon'ble Court the Building Department, Greater Chennai Corporation has been requested to submit a report about the feasibility of constructing a gasifier crematorium at Kandigai Street, Crematorium at Korattur, Chennai.

6. I submit that the Engineers, Building Department have conducted a field inspection at the Kandigai Street, Crematorium at Korattur, Chennai, and has given a reply stating that the width of the existing crematorium ground is not sufficient for constructing a gasifier crematorium at Kandigai Street, Crematorium at Korattur, Chennai.

4. Heard both sides and perused the materials available on record.

5. In view of the above status report, the width of the existing crematorium ground is not sufficient for constructing a gasifier crematorium at Kandigai Street, Crematorium at Korattur, Chennai. Hence, nothing survives in this writ petition for further adjudication.



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The writ petition stands closed. No costs. Consequently,

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connected miscellaneous petition is closed.

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Index : Yes/No

Speaking/Non Speaking order

To

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J.SATHYA NARAYANA PRASAD, J.

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