



WEB COPY

WP.No.12566 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.07.2025

CORAM

THE HONOURABLE MRS JUSTICE N.MALA

WP.No.12566 of 2025

A.Lakshmi Narayanan
S/o.P.N.Arumugam,
No.59, Nehru Nagar,
Villivakkam, Chennai-600 049.

....Petitioner

Vs

1.The Collector,
Thiruvallur District.

2.Block Development Officer (ki.Vu)(po)
Thiruthani Taluk, Thiruvallur District.

3.Tahsildar,
Thiruthani Taluk,
Thiruvallur District

4.The President,
Veeraganallur Village,
Thirutani Taluk,
Thiruvallur District.

5.Superintendent of Police,
Thiruvallur District.



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6.Village Administrative Officer,
Veeraganallur Village,
Thiruthani Taluk,
Thiruvallur District.

... Respondents

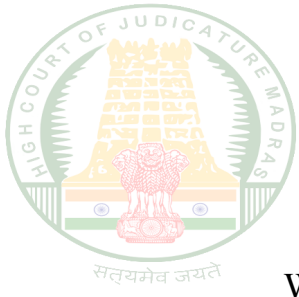
PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Mandamus, directing the respondents to take action on the representation of the petitioner dated 30.10.2024 and direct the respondents to exhume the dead bodies buried in the patta land of the petitioner in plot No.1 to 36 comprised in survey No.320/4, Veeraganallur village, Thiruthani Taluk, Thiruvallur District and relocate the remains of the dead bodies in the designated existing burial grounds in survey No.288, 240, 221 and 217 at Veeraganallur Village, Thiruthani Taluk, Thiruvallur District and pass consequential order directing the respondents to take proper action preventing any further burial of any dead body in any other place including the patta land of the petitioner in survey No.320/4 Veeraganallur Village, Thiruthani Taluk, Thiruvallur District, excepting in the designated existing burial grounds in survey No.288, 240, 221 and 217 Veeraganallur Village, Thiruthani Taluk, Thiruvallur District and to ensure protection to the right of the property of the petitioner and pass such further orders.

For Petitioner: Mr.L.K.Dibeeshwar

For Respondents: M/s.P.Aishwarya,
Government Advocate for R1, R3 to R6

Mr.R.Neethi Perumal,
Government Advocate for R2 & R4

Mr.R.Kishore Kumar,
Government Advocate for R5

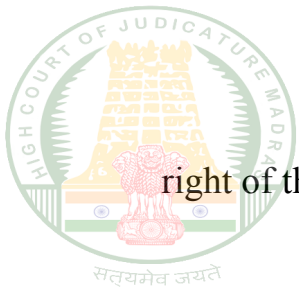


ORDER

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With the consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents to take action on the representation of the petitioner dated 30.10.2024 and direct the respondents to exhume the dead bodies buried in the patta land of the petitioner in plot No.1 to 36 comprised in survey No.320/4, Veeraganallur village, Thiruthani Taluk, Thiruvallur District and relocate the remains of the dead bodies in the designated existing burial grounds in survey No.288, 240, 221 and 217 at Veeraganallur Village, Thiruthani Taluk, Thiruvallur District and pass consequential order directing the respondents to take proper action preventing any further burial of any dead body in any other place including the patta land of the petitioner in survey No.320/4 Veeraganallur Village, Thiruthani Taluk, Thiruvallur District, excepting in the designated existing burial grounds in survey No.288, 240, 221 and 217 Veeraganallur Village, Thiruthani Taluk, Thiruvallur District and to ensure protection to the

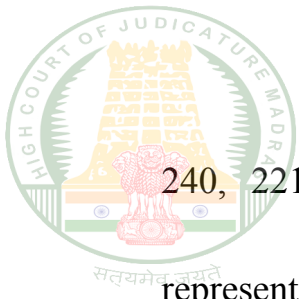


right of the property of the petitioner.

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3. The Petitioner purchased land measuring 1.15 acres in Survey No. 320/4, Veeraganallur Village, Thiruthani Taluk, Thiruvallur District, on 06.12.2007, via a registered sale deed. He also acquired surrounding lands totalling 7.45 acres and developed the area into a residential layout named “Sri Balaji Nagar”. While several plots were sold, Plot Nos.1 to 36 in Survey No. 320/4 remained with the Petitioner, with Patta No.1464 issued in his name. The Petitioner applied for regularization, and approvals were subsequently granted by the Assistant Director of Town and Country Planning (2019), Veeraganallur Panchayat (2019), and TNRERA (2021). On 01.10.2024, the Petitioner discovered that residents of Mettu Colony had buried eight dead bodies and constructed a burial ground on his patta land.

4. Learned counsel appearing for the Petitioner submits that the burial of dead bodies and construction of a burial ground on his patta land is unlawful, especially when an officially designated burial ground exists in Survey Nos.288,



240, 221, and 217 of the same village. He states that he submitted a representation dated 30.10.2024 requesting the exhumation and relocation of the bodies to the designated area. While the second respondent confirmed the encroachment through an enquiry and recommended action by the Tahsildar, no effective steps have been taken by the authorities to remove the encroachment or redress his grievance.

5. Learned Additional Government Pleader appearing for R1 would submit that the representation of the petitioner dated 30.10.2024 would be considered on merits, in accordance with law, within a time frame stipulated by this Court.

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

7. Without going into the merits of the case, the 1st respondent is directed to consider the representation of the petitioner dated 30.10.2024 after conducting a detailed enquiry by giving due notice to the petitioner,



affording an opportunity of personal hearing, taking into consideration all the relevant documents submitted by the petitioner in regard to the subject matter property and pass appropriate orders on merits, in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order.

8. In the result, the writ petition stands disposed of with the above observations and direction. No costs.

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dpq/cda

Index:Yes/No

Speaking/Non-speaking order



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To

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Thiruvallur District.

2.Block Development Officer (ki.Vu)(po)
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3.Tahsildar,
Thiruthani Taluk,
Thiruvallur District

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N. MALA, J.

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