



W.P. No.10917 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 09.07.2025

CORAM:

THE HON'BLE MRS.JUSTICE N.MALA

W.P. No.10917 of 2025

D. Anandan

... Petitioner

Versus

1. The Collector,
Tiruvallur District,
Tiruvallur.

2. The Revenue Divisional Officer,
Thiruthani,
Tiruvallur District.

3. The Tahsildar,
R.K. Pet,
R.K. Pet Taluk,
Tiruvallur District.

4. The Block Development Officer,
R.K. Pet,
Tiruvallur District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, directing the respondents 1 to 4 to consider the representation of the petitioner dated 27.05.2024 to permit the petitioner to construct cemetery over the burial of petitioner's mother who is the root cause for establishing the present burial ground situated in S. No.155 to the extent of 5.13 acre at V.R. Kandigai Village, Tiruvallur District.



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For Petitioner : Mr.V. Elangovan
For Respondents : Mr.M.Rajendiran
Additional Government Pleader
for R1 to R3
Mr.M.Muthusamy
Government Advocate for R4

ORDER

The present Writ Petition is filed for issuance of a Writ of Mandamus to direct the respondents 1 to 4 to consider the representation of the petitioner dated 27.05.2024 to permit the petitioner to construct cemetery over the burial of petitioner's mother who is the root cause for establishing the present burial ground situated in S. No.155 to the extent of 5.13 acre at V.R. Kandigai Village, Tiruvallur District.

2. Mr.M.Rajendiran, learned Additional Government Pleader, takes notice on behalf of the respondents 1 to 3 and Mr.M.Muthusamy, learned Government Advocate, takes notice on behalf of the 4th respondent. By consent of the parties, this writ petition is taken up for final disposal at the admission stage itself.



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3. The case of the petitioner is that earlier the Government Poramboke land in S.No.155 to the extent of 5.13 acre situated at V.R. Kandigai Village allotted for burial ground was under encroachments. To remove the encroachment made on the Government burial ground, the petitioner's mother made a representation to the respondents 1 to 4. Owing to inaction on the part of the respondents on the said representation, the petitioner's mother filed writ petition viz., W.P. No.23889 of 2021 before this Court. This Court passed an order by issuing directions to the respondents in the said writ petition to remove the encroachments made on the Government burial ground. However, the respondents have not taken any effective steps to remove such encroachments. Therefore, the petitioner's mother filed contempt petition viz., Contempt Petition No.2228 of 2022. During the pendency of the contempt petition, the respondents have removed the illegal occupation and restored the land for burial purpose. The petitioner's mother died on 03.06.2023 and she was buried in the aforesaid burial ground. In order to construct a cemetery for his mother in the said burial ground, the petitioner made a representation on 27.05.2024 before the respondents. Since the said representation was not considered by the respondents, the petitioner had filed the present Writ Petition.



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WEB COPY 4. The learned counsel for the petitioner would submit that, it would be suffice, if this Court issues a direction to the respondents to consider the petitioner's representations dated 27.05.2024 and pass orders on the same within a particular time frame fixed by this Court.

5. The learned Additional Government Pleader appearing for the respondents 1 to 3 and the learned Government Advocate appearing for the fourth respondent in one voice submit that the petitioner's representation dated 27.05.2024 would be considered by the respondents and orders would be passed within the time fixed by this Court.

6. Considering the submissions made on either side and without going into the merits of the representation, and taking note of the limited relief sought for in this Writ Petition, there shall be a direction to the respondents to consider the petitioner's representation dated 27.05.2024, after giving due notice to the petitioner and affording a reasonable opportunity of hearing to the petitioner, considering the documents submitted by the petitioner and pass appropriate orders on its own merits and in accordance with law, within a period of six (6) weeks from the date of receipt of a copy of this order.



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7. With the above direction, this Writ Petition is disposed of.

No costs.

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Index : Yes / No

Internet : Yes / No

jd

To

1. The Collector,
Tiruvallur District,
Tiruvallur.

2. The Revenue Divisional Officer,
Thiruthani,
Tiruvallur District.

3. The Tahsildar,
R.K. Pet,
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N.MALA , J.

jd/smn

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