



WEB COPY

WP No. 20183 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-06-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 20183 of 2025

1. V.Sadasivam

S/o.Sengondan, Sanarpalayam,
Mylampadi Village, Bhavani Taluk,
Erode District.

Petitioner(s)

Vs

1. The District Collector

Office Of District Collector, Erode
District- 638 011.

2.The Revenue Divisional Officer

Regional Divisional Officer, Bhavani,
Erode District-638 452.

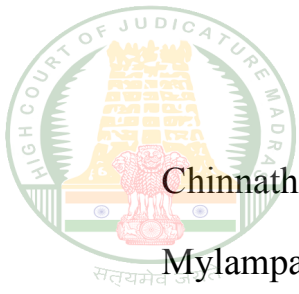
3.The Thasildar

Thasildar Office, Bhavani, Erode
District- 638 301.

Respondent(s)

PRAYER

Writ petition filed under Article 226 of Constitution of India for the issue of writ of Mandamus directing the respondents 1 to 3 to exhume the dead body of



Chinnathambi from the petitioner's Private Patta land in SF No. 132/10 at Mylampadi village, Bhavni, Erode District and to bury the same in the Common burial ground of the village and by Considering the representation of the petitioner herein dated 27.05.2025 and within a reasonable time as fixed by this Court.

For Petitioner(s): Mr.R.Nalliyappan
For Respondent(s): Mr.R.Murthi
Government Advocate for
R1 to R3

ORDER

This writ petition has been filed for a direction to the respondents 1 to 3 to exhume the dead body of one Chinnathambi, who was buried in the private patta land belonging to the petitioner on 26.05.2025 and to bury the dead body in the common burial ground of the village, by considering the representation made by the petitioner on 25.07.2025.

2. Heard Mr.R.Nalliyappan, learned counsel for the petitioner and Mr.R.Murthi, learned Government Advocate for respondents 1 to 3.

3. It is the case of the petitioner that the subject property in SF No.132/10 at Mylampadi Village, Bhavani Taluk, Erode District, is a patta land. It seems that on 26.05.2025, when the petitioner was not in station, the dead body of one Chinnathambi was buried by his sons in the said patta land. The



petitioner immediately after coming to know of the same gave a complaint before the Inspector of Police, Bhavani and CSR No.156 of 2025 was opened and it is pending. The petitioner also gave a complaint to respondents 1 to 3 with a request to exhume the dead body from the patta land and to bury the dead body in the common burial ground. Since the same was not acted upon, the present writ petition has been filed before this Court.

4. In the considered view of this Court, the dead body cannot be buried or cremated in any lands except those lands which have been designated as burial ground. The law on this issue is now too well settled. Hence, if the dead body has been buried in the patta land, it is the duty of the respondents to ensure that the dead body is buried in the burial ground designated for the village. Therefore, there shall be a direction to the 2nd respondent to act upon the representation made by the petitioner on 27.05.2025 and call the petitioner and the sons of Chinnathambi for enquiry and shall ensure that the dead body is buried in the common burial ground. This process shall be completed by the 2nd respondent within a period of one week from the date of receipt of a copy of this order.

5. This writ petition is disposed of with the above directions. No costs.

06-06-2025

Rka

Issue today on 10.06.2025



Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1.The District Collector

Office Of District Collector,

Erode District- 638 011.

2.The Revenue Divisional Officer

Regional Divisional Officer, Bhavani,

Erode District-638 452.

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