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W.P.No.36372 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.09.2025

CORAM :

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

WP No.36372 of 2025
and WMP No.40644 of 2025

S.Thilagavathi
W/o.Senthil Kumar,
No.3/117, Sullikadu,
Muniyappan Palayam,
Molasi Post, Namakkal District.

Petitioner(s)

Vs

1. The District Collector
Namakkal District,
District Collectorate,
Namakkal.
2. The Project Director
Rural Development and
Panchayat Raj Department,
District Rural Development Office,
District Collectorate, Namakkal.
3. The Block Development Officer
Block Development Office,
Tiruchengode.

Respondent(s)



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PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to find out an alternative and suitable land in Molasi Village or nearby village for construction of Gasifier crematorium building and to shift the proposed Gasifier crematorium building from S.No.84/1 of Molasi Village, Tiruchengode Taluk, Namakkal District, to any other suitable place.

For Petitioner(s):	Ms.R.Poornima for Mr.T.L.Thirumalaisamy
For Respondent(s):	Mr.M.Habeeb Rahman, Government Advocate

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

This public interest litigation has been filed by the petitioner challenging the present location where the gasifier crematorium is being developed.

2. The material on record shows that there pre-existed a cremation/burial ground on the same land, which has not been opposed by anyone. It is only when it is being converted into



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gasifier crematorium, the petitioner has come out with an objection that on either side of the subject land there exists water body and there is likelihood of the area being submerged in the water body, as many dams are situated around it.

3. This perhaps would be an issue which the respondent authorities should consider. We lack expertise to decide the issue whether the area is likely to be submerged quite often in view of the situation which has been stated by the petitioner. However, the authority should examine this aspect, if not already examined, to establish a gasifier crematorium at the place, as it involves spending huge public funds. The decision should be taken by the first respondent, with the help of the experts, at the earliest and, preferably, within one month from the date of receipt of a copy of this order.

Writ petition is disposed of accordingly. There shall be no order as to costs. Consequently, interim application stands



closed.

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(MANINDRA MOHAN SHRIVASTAVA, CJ)

(G.ARUL MURUGAN,J)

25.09.2025

Index : Yes/No
Neutral Citation : Yes/No
sasi

To:

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THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN,J.

(sasi)

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