



W.P.(MD)No.4798 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.(MD)No.4798 of 2023

C.Muthukumar

... Petitioner

-VS-

- 1.The District Collector,
Office of the District Collector,
Madurai District.
- 2.The Assistant Director (Panchayats),
Office of the Assistant Director (Panchayats),
District Collector Office Campus,
Madurai District.
- 3.The District Revenue Officer,
Office of the District Revenue Officer,
Madurai District.
- 4.The Tahsildar,
Thirupparankundram Taluk,
Madurai District.
- 5.The President,
Thanakkankulam Village Panchayat,
Thanakkankulam Village Panchayat Office,
Madurai District.

... Respondents



W.P.(MD)No.4798 of 2023

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents herein to remove the illegally formed Nethaji Nagar Crematorium, Water Tank and its bore well from the petitioner's patta Land in S.No.154/3C1A1B4 and New S.No. 154/3C1A1B1A1 of Thanakkankulam Village, Thirupparankundram Taluk, Madurai District, by considering the petitioner's representation dated 23.12.2022.

For Petitioner : Mr.V.B.Sundhareshwar

For Respondents : Mr.K.Balasubramani
Special Government Pleader

ORDER

The Writ Petition has been filed seeking issuance of a Writ of Mandamus directing the respondents to remove the illegally formed Nethaji Nagar Crematorium, water tank, and bore well from the petitioner's patta land in S.No. 154/3C1A1B4 and New S.No.154/3C1A1B1A1 of Thanakkankulam Village, Thirupparankundram Taluk, Madurai District, by considering the petitioner's representation dated 23.12.2022.

2. Though the Writ Petition was filed for removal of the illegally formed Crematorium, the petitioner submits that the land in question is his patta land and



W.P.(MD)No.4798 of 2023

no bodies have been buried so far. If this is so, the petitioner can compound the land and keep it in his custody.

3. However, the learned Special Government Pleader appearing for the respondents submits that the land has been used as a crematorium for the past 40 years and that the petitioner has not been in enjoyment of the land.

4. Considering the submissions, in the event that no bodies have been buried on the land in the past 40 years, the petitioner is entitled to compound the land and keep it in his custody. In that case, the land appears to be different from what the respondents contend.

5. The Writ Petition is disposed of with the above observation. No costs.

NCC : Yes / No
Index : Yes / No
smn2

01.12.2025



W.P.(MD)No.4798 of 2023

To:-

WEB COPY

- 1.The District Collector,
Office of the District Collector,
Madurai District.
- 2.The Assistant Director (Panchayats),
Office of the Assistant Director (Panchayats),
District Collector Office Campus,
Madurai District.
- 3.The District Revenue Officer,
Office of the District Revenue Officer,
Madurai District.
- 4.The Tahsildar,
Thirupparankundram Taluk,
Madurai District.
- 5.The President,
Thanakkankulam Village Panchayat,
Thanakkankulam Village Panchayat Office,
Madurai District.



WEB COPY



W.P.(MD)No.4798 of 2023

KRISHNAN RAMASAMY, J.

smn2

W.P.(MD)No.4798 of 2023

01.12.2025