



W.P(MD)No.7426 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.04.2025

CORAM:

**THE HONOURABLE MRS.JUSTICE J.NISHA BANU
and
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

**W.P(MD)No.7426 of 2025
and W.M.P(MD)No.5583 of 2025**

Sahayamery

... Petitioner

vs.

- 1.The District Collector,
Pudukkottai.
- 2.The Revenue Divisional Officer,
Illupur, Pudukkottai.
- 3.The Tahsildar,
Kulathur, Pudukkottai District.
- 4.The Block Development Officer,
Kunnandarkoil Panchayat Union,
Kunnandarkoil Post,
Kulathur Taluk,
Pudukkottai District.
- 5.The Secretary,
Melaputhuvayal Village Panchayat,
Keeranur Post,
Kulathur Taluk, Pudukkottai District.



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6.The Sub Registrar,
Kulathur,
Pudukkottai District.

7.Anthony Raja
8.David
9.Amalraj
10.Arputharaj
11.Innasimuthu

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus a. directing the respondents 1 to 5 to ensure that the land in S.No. 203/3B, Melapuduvayal Village, Kulathur Taluk, Pudukkottai District is not being used as burial ground by the respondents 7 to 11 or the people belonging to their community and b. directing the sixth respondent to cancel entry as burial ground mentioned in the sale deed in Document No.190 of 2025 dated 08.01.2025 on the file of the sixth respondent and refrain from transferring the patta in the name of burial ground with respect to the property situated in S.No.203/3B, Melapuduvayal Village, Kulathur Taluk, Pudukkottai District and c. pass such other or further orders.

For Petitioner : Mr.P.Ganapathi Subramanian

For RR 1 to 4 : Mr.P.Thilak Kumar
Government Pleader

For RR 7 to 11 : Mr.K.P.Narayana Kumar



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ORDER

(Order of the Court was made by S.SRIMATHY, J.)

The present Writ Petition has been filed seeking the issuance of a Writ of Mandamus directing respondents 1 to 5 to ensure that the land in S.No. 203/3B, Melapuduvayal Village, Kulathur Taluk, Pudukkottai District, is not used as a burial ground by respondents 7 to 11 or by members of their community. The petitioner also seeks a direction to the sixth respondent to cancel the entry of the land as a burial ground mentioned in the sale deed registered as Document No.190 of 2025, dated 08.01.2025, and to refrain from transferring the patta in the name of a burial ground with respect to the said property.

2.The contention of the petitioner is that respondents 7 to 11 are permanent residents of a village located 5 kilometers away from the subject land. As there is no burial ground in their village, they intend to purchase and use the subject land as a burial ground without obtaining any license or approval from the competent authorities.



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3.The contention of the respondents 7 to 11 is that they have already submitted an application before the authorities seeking to declare the subject land as a burial ground.

4.Considering the submissions made on either side, this Court is inclined to pass the following order:

(i) The official respondents shall consider the application submitted by the respondents 7 to 11, in accordance with law.

(ii) Before passing any order, the official respondents shall afford a personal opportunity of hearing to the petitioner as well as respondents 7 to 11, and thereafter pass appropriate orders on merits and in accordance with law.

(iii) The said exercise shall be completed within a period of three months from the date of receipt of a copy of this order.



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5. With the above directions, the Writ Petition is disposed of. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition is closed.

[J.N.B.,J.] & [S.S.Y.,J.]
25.04.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
ps



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J.NISHA BANU, J.
and
S.SRIMATHY, J.

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ORDER MADE IN
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DATED : 25.04.2025