



W.P(MD)No.9966 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.06.2025

WEB COPY

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.9966 of 2025

D.Backiyaraj

... Petitioner

Vs

1. The District Collector,
Dindigul
Dindigul District.
2. The Revenue Divisional Officer,
Dindigul
Dindigul District.
3. The Tahsildar,
Athoor Taluk,
Dindigul District.
4. President of Village Panchayat,
Athoor Panchayat,
Athoor,
Dindigul District.
5. Lazarus Arockiyaraj
6. G. Albert Lourduraj
7. Joseph Kanagaraj
(*R6 and R7 are suo motu impleaded vide Court Order
dated 09.04.2025 in WP(MD)No.9966 of 2025*)

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 to 4 to restrain the fifth respondent, his family members, relatives or anyone from using the land in S.No.124/3A as burial ground, by considering the petitioner's representation dated 15.03.2025 within a stipulated period of time to be fixed by this Court.

For Petitioner	: Mr.M.Veeravelpandi
For R-1 to 3	: Mr.S.Shanmugavel Additional Government Pleader
For R-4	: Mr.S.Vinoth
For R-5	: Mr.P.P.Alwin Balan
For R-6 & 7	: Mr.Lakshmi Shankar

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Mandamus, to direct the respondents 1 to 4 to restrain the fifth respondent, his family members, relatives or any other person from using the land in S.No.124/3A as a burial ground, by considering the petitioner's representation dated 15.03.2025.



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2. The contention of the petitioner is that he is residing Survey No.124/3A and the nearby land is used as a burial ground is hindering his existence. On perusal of the records, it is seen that the petitioner is residing at Door No.2/55, Xavier street, Athoor, Dindigul District and there is no iota of evidence submitted by the petitioner to establish that Survey No.124/3A is located near Door No.2/55, Xavier street, Athoor, Dindigul District. Therefore, the claim of the petitioner is rejected.

3. Further, this Court has already impleaded the sixth respondent, namely, G.Albert Lourduraj. Admittedly, there is a dispute between the fifth respondent and the sixth respondent regarding Survey No.124/3A and two suits are pending in this regard. It is seen from the counter affidavit and the typed set of papers filed by the sixth respondent that already the issue was considered by the Tahsildar, and passed an order. Aggrieved by the said order, the fifth respondent preferred an appeal and has suffered an order. Therefore, all these facts clearly establish that the petitioner's claim is erroneous and is not supported by any documentary evidence.



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4. Accordingly, this Writ Petition stands dismissed. There shall be no order as to costs.

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25.06.2025

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

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To:

1. The District Collector,
Dindigul
Dindigul District.
2. The Revenue Divisional Officer,
Dindigul
Dindigul District.
3. The Tahsildar,
Athoor Taluk,
Dindigul District.



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S.SRIMATHY, J.

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ORDER MADE IN
W.P(MD)No.9966 of 2025

DATED : 25.06.2025