



**W.P.(MD) No.14458 of 2025**

WEB COPY

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 04.08.2025**

**CORAM:**

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM  
and  
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

**W.P.(MD) No.14458 of 2025**

K.Loganathan

... Petitioner

-VS-

- 1.The District Collector  
O/o.The District Collector  
Dindigul, Dindigul District
- 2.The Superintendent of Police  
O/o.The Superintendent of Police  
Dindigul, Dindigul District
- 3.The District Highways  
Department Officer  
Highways Department Office  
Dindigul, Dindigul District
- 4.The Tahsildar  
West Tahsildar Office  
Dindigul, Dindigul District
- 5.The Inspector of Police  
Thadikombu Police Station  
Thadikombu, Dindigul District



**W.P.(MD) No.14458 of 2025**

WEB COPY

6.Dhandapani

7.Mariyappan

8.Muthuraj

... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents No.1 to 5 to take appropriate legal action against the respondents No.6 to 8 and others and to prevent them from encroaching and illegally establishing burial ground on the petitioner's private land in Survey No.1513/1B1 at Agaram Village, Dindigul West Taluk in Patta No.4169 and the adjacent land belonging to the 3<sup>rd</sup> respondent herein in Survey No.1516 and to consider the petitioner's representation dated 08.05.2025 within a time frame fixed by this Court.

For Petitioner : Mr.M.Suresh  
for Mr.K.Vijayan

For Respondents : Mr.J.Ashok  
Addl. Government Pleader for R1, R3 & R4  
Mr.S.Ravi  
Additional Public Prosecutor for R2 & R5  
Mr.B.Prasanna Vinoth for R6 & R7  
R8 – Not ready in notice

**ORDER**

**Page 2 of 6**



**W.P.(MD) No.14458 of 2025**

WEB COPY

**[Order of the Court was made by S.M.SUBRAMANIAM, J.]**

The writ on hand has been instituted seeking a direction to the respondents 1 to 5 to take appropriate legal action against the respondents 6 to 8 and others and to prevent them from encroaching and illegally establishing a burial ground on the petitioner's private land in Survey No. 1513/1B1 at Agaram Village, Dindigul West Taluk in Patta No.4169 and the adjacent land belonging to the third respondent herein in Survey No.1516 and to consider the petitioner's representation dated 08.05.2025 within a time frame fixed by this Court.

**2.** Learned Additional Government Pleader appearing for the respondents 1, 3 & 4, on instructions, submitted that the subject land in Survey No.1516 is classified as Government Poramboke Pathway and it belongs to the Highways Department. There is no licence to burry dead bodies in the said survey number. Despite the same, the villagers are using the said land as a burial ground.

**3.** It is the duty of the Revenue Department to identify the



**W.P.(MD) No.14458 of 2025**

## WEB COPY

alternate land in consultation of the people of the locality for burying dead bodies and to clear the Highways Department's properties enabling them to use their properties for road projects or some other public purposes. It is needless to state that burial of dead bodies are to be made in the licenced area and illegal burial in the unauthorized area is to be prevented by the competent authorities. In the present case, admittedly, burial of dead bodies is made in the property belonging to the Highways Department, which is impermissible under law. Thus, the respondents 1 & 4 are directed to identify any suitable land, in consultation with the people of the locality, for burial of dead bodies and issue proper licence for burial of dead bodies in the identified area and hand over the subject land to the Highways Department by following the procedures as contemplated. The said exercise is directed to be completed within a period of four months from the date of receipt of a copy of this order.

**4.** With the above directions, this writ petition is disposed of. No costs.



WEB COPY

**W.P.(MD) No.14458 of 2025**

**[S.M.S., J.]**

**[A.D.M.C., J.]**

**04.08.2025**

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

krk

To:

- 1.The District Collector,  
O/o.The District Collector,  
Dindigul, Dindigul District.
- 2.The Superintendent of Police,  
O/o.The Superintendent of Police,  
Dindigul, Dindigul District.
- 3.The District Highways  
Department Officer,  
Highways Department Office,  
Dindigul, Dindigul District.
- 4.The Tahsildar,  
West Tahsildar Office,  
Dindigul, Dindigul District.
- 5.The Inspector of Police,  
Thadikombu Police Station,  
Thadikombu, Dindigul District.



WEB COPY



**W.P.(MD) No.14458 of 2025**

**S.M.SUBRAMANIAM, J.**  
**and**  
**DR.A.D.MARIA CLETE, J.**

krk

**W.P.(MD) No.14458 of 2025**

**04.08.2025**