



1

W.P.(MD)NO.15649 OF 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.09.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.15649 of 2025 and

W.M.P.(MD)No.11876 of 2025

D.Thanaraj

... Petitioner

Vs.

1. The District Collector,
Tirunelveli.

2. The Tahsildar,
Palayamkottai Taluk,
Tirunelveli.

3. The Block Development Officer,
Palayamkottai, Tirunelveli.

4. The President,
Nochikulam Panchayat,
Palayamkottai, Tirunelveli.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents 1 to 4 from constructing any burial or burning ground in S.No.244, Parpakulam Village, Palayamkottai Taluk, Tirunelveli District classified as "Parpakulam Tank" measuring 55.76.00 Hectares based on the representation of the petitioner dated 16.04.2025.



WEB COPY

For Petitioner : Mr.H.Arumugam

For Respondents : Mr.C.Venkatesh Kumar,
Special Government Pleader
for R-1 & R-2.Mr.G.V.Vairam Santhosh,
Additional Government Pleader
for R-3 & R-4.

* * *

ORDER

Heard both sides.

2. The petitioner is a resident of Palayamkottai. He alleges that the respondents are proposing to put up construction in survey No.244, Parpakulam Village. It is admitted by the respondents that the said survey number has been classified as Parpakulam tank. When the classification of the said survey number is not in doubt, no construction can be put up thereon. The officials take the stand that a small portion of the water body was being used as burial ground since 2005. A shed is proposed to be erected. Admittedly, these are recent developments. It is the duty of the respondents to ensure that the place in question is not used for burial ground or cremation



ground any further. At the same time, the petitioner is also restrained from using it as a parking slot. The entire survey No.244 shall be restored to its original condition as water body. This writ petition stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
11th September 2025

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

PMU

To:

1. The District Collector,
Tirunelveli.
2. The Tahsildar,
Palayamkottai Taluk,
Tirunelveli.
3. The Block Development Officer,
Palayamkottai, Tirunelveli.
4. The President,
Nochikulam Panchayat,
Palayamkottai, Tirunelveli.



WEB COPY



4

W.P.(MD)NO.15649 OF 2025

G.R.SWAMINATHAN, J.

AND

B.PUGALENDHI, J.

PMU

W.P.(MD)No.15649 of 2025

11.09.2025



WEB COPY



5

W.P.(MD)NO.15649 OF 2025