



SUO MOTU W.P(MD)No.19594 of 2020

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.08.2025

CORAM:

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

SUO MOTU W.P(MD)No.19594 of 2020

The Registrar (Judicial),
Madurai Bench of Madras High Court,
Madurai.

... Petitioner

vs.

- 1.The Secretary to the Government,
Revenue Department,
Government of Tamil Nadu,
Fort St.George,
Secretariat,
Chennai - 600 009.
- 2.The Secretary to Government,
Adi Dravidar and Tribal Welfare Department,
Government of Tamil Nadu,
Secretariat,
Chennai – 9.



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3.The Secretary to Government,
Municipal Administration Department,
Government of Tamil Nadu,
Secretariat,
Chennai - 600 009.

4.The District Collector,
Madurai District.

5.The Tahsildar,
Melur Taluk,
Madurai District.

6.The Commissioner,
Melur Municipality,
Melur,
Madurai District.

7.M.Subramaniyan

... Respondents

*(R – 7 is impleaded vide order dated 05.08.2025
made in W.M.P(MD)No.8974 of 2021)*

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to provide pathway/road having access to burial ground from the villages where Adi Dravidar people are residing in the Melur Taluk so as to enable them to take the dead bodies to the burial ground peacefully within the time stipulated by this Court.



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For Petitioner : Mr.D.Sivaraman
For RR 1 to 6 : Mr.P.Thilak Kumar
Government Pleader
For R – 7 : Mr.Ravindar
for Mr.P.Rathinam

ORDER

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

The writ on hand has been instituted to direct the respondents to provide a pathway/road giving access to the burial ground from the villages where the Adi Dravidar people are residing in Melur Taluk, so as to enable them to take the dead bodies to the burial ground peacefully.

2.The learned Government Pleader appearing for the respondents 1 to 6, relying on the status report filed by the Tahsildar, Melur, submitted that an alternate burial ground has been earmarked and provided. The Tahsildar, Melur is ready to provide further facilities for the burial of dead bodies in the said place. Paragraph No.6 of the status report reads as under:

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“6.I respectfully submit that the Adi-Dravidar people are taking the death bodies to patta lands and the pattadars are also not objected sofar to provide pathway. I suggest that, the following alternate site will be granted for mayanam, if the beneficiaries are accepted and I submit that PWD channel starts from Survey No.65 and ends in Amoor Tank, S.No.101/3 measuring 3.13.0 Hec, is classified as Manthai Poramboke. There is primary school over an extent of 10 cents. Remaining site is vacant the site is located 1 km away from the Adi-Dravidar Colony and pucca tar road is there. If the Adi-Dravidar peoples gives their consent to shift the mayanam S.No.101/3 – Manthai poramboke, it may be considered, extract of village accounts are submitted herewith.”

3.With reference to the grievances of the seventh respondent, the Tahsildar, Melur, is directed to conduct inspection, identify the encroachments, if any and remove the same, thereby enabling the villagers to utilise the pathway to reach the burial ground peacefully.



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4.In view of the above facts, the authorities concerned are directed to provide all facilities in the burial ground earmarked for the benefit of the villagers. It is for the villagers to utilise the same for the purpose of burial of dead bodies. It is needless to state that the Villagers cannot insist on a place of their choice, since the revenue authorities have already earmarked an alternative burial ground.

5.With these observations, this Writ Petition is disposed of.
There shall be no order as to costs.

[S.M.S.,J.] & [A.D.M.C.,J.]
05.08.2025
(1/2)

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



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and
DR.A.D.MARIA CLETE, J.

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ORDER MADE IN
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DATED : 05.08.2025
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