



W.P(MD)No.19219 of 2021

.BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 27.11.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)No.19219 of 2021
and W.M.P(MD).Nos.15943 and 15945 of 2021

K.Kannan (died)
Rajkumar

.. Petitioner

(petitioner is substituted vide Court order dated 22.07.2024 in W.M.P(MD).No. 14117 of 2024 in W.P(MD).No.19219 of 2021)

Vs

1.The Commissioner,
Periyakullam Corporation,
Katcheri Road, Thenkarai Periyakullam,
Theni District.

2.T.Kamatchi

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records of the first respondent in Na.Ka.No.1750/2018/H1 dated 23.09.2021 and quash the same as illegal and consequently direct the first respondent to permit the petitioner to handle, manage and maintain the Modern Gasified Cremation platform of the first respondent municipality by considering the petitioner's representation dated 30.09.2021.



W.P(MD)No.19219 of 2021

For Petitioner : Mr.A.Sivasubramanian

For Respondents : Mr.K.P.Krishnadoss (for R1)
Ms.H.Jasima Yasmin
for M/s.Ajmal Associates (for R2)

ORDER

This writ petition has been filed to quash the order passed by the first respondent in Na.Ka.No.1750/2018/H1 dated 23.09.2021 and direct the first respondent to permit the petitioner to handle, manage and maintain the Modern Gasified Cremation platform of the first respondent Municipality.

2. It is the case of the petitioner that he is the hereditary cremator of Public Cremation ground at Periyakulam Municipal Corporation and he is also working as a Cremator and Manager of Periyar Turst. The said Periyar Trust which was initially handling the Modern Gasified Cremation Platform of Periyakulam Municipality had stopped its services and to that effect had also submitted a letter to the first respondent. Thereafter, the petitioner was permitted to manage the Modern Gasified Cremation Platform of Periyakulam Municipality under their trust, namely, “Periyakulam Samathuva Sangamam Electric Crematorium Trust”. To the shock and surprise of the petitioner, the respondent has issued the impugned notice in Na.Ka.No.1750/2018/H1 dated



W.P(MD)No.19219 of 2021

23.09.2021 giving permission to the second respondent to manage and handle the Modern Gasified Cremation Platform, which according to the petitioner is arbitrary and the same is liable to be quashed.

3. Heard the learned counsel on either side and perused the materials available on record.

4. The above writ petition has been filed to quash the impugned notice issued by the first respondent giving permission to the second respondent to manage and handle the Modern Gasified Cremation Platform of Periyakulam Municipality and to permit the petitioner to manage and handle the said Cremation. The Municipality had awarded the Modern Gasified Cremation Platform to the second respondent only on account of the fact that the earlier person/petitioner had not maintained the platform properly and that apart, had cremated human bodies by using fire wood instead of gas, as a result of which, the cremation centre was filled with smoke and the walls of the cremation centre had also been covered with soot. The petitioner was only an employee of the trust. The trust had handed over the crematorium to the Municipality and Municipality had entrusted the work to the second respondent as early as on 10.06.2020 and the petitioner is now no more. From the pleadings it is seen that



W.P(MD)No.19219 of 2021

the petitioner is seeking to be appointed as a Cremator in his personal capacity, the Trust has submitted a letter to the first respondent pleading their inability to manage the crematorium. The running of the crematorium is now in the hands of the second respondent. Therefore, nothing survives for consideration in the above writ petition. Therefore, the Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petitions closed.

27.11.2025

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

To
The Commissioner,
Periyakullam Corporation,
Katcheri Road, Thenkarai Periyakullam,
Theni District.



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W.P(MD)No.19219 of 2021

P.T.ASHA, J.

Rmk

Writ Petition(MD)No.19219 of 2021

27.11.2025