



W.P.(MD)Nos.26379 of 2019 & 568 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P.(MD)Nos.26379 of 2019 & 568 of 2020

and

W.M.P.(MD)No.22800 of 2019

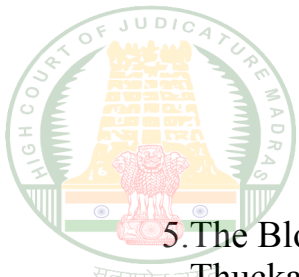
W.P.(MD)No.26379 of 2019

C.Raveendran

... Petitioner

Vs.

- 1.The District Collector,
Kanyakumari District,
Nagercoil.
- 2.The Assistant Director (Panchayats),
Collectorate, Kanyakumari District.
- 3.The Revenue Divisional Officer,
Padmanabhapuram Division, Thuckalay,
Kanyakumari District.
- 4.The Tahsildar,
Kalkulam Taluk, Thuckalay,
Kanyakumari District.



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5. The Block Development Officer,
Thuckalay Panchayat Union,
Thuckalay, Kanyakumari District.

6.A.Murugan

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 5 to dispose of the petitioner's representation dated 23rd July 2019 and consequently, to restrain the respondents 1 to 5 from permitting the 6th respondent and any other persons to bury and / or cremate any dead body in the land in Survey No.36/5 of Aathivilai Revenue Village in violation of the Tamil Nadu Village Panchayats (Provision of Burial and Burning Grounds) Rules, 1999.

For Petitioner	: Ms.C.Madhusri, for Mr.T.Balakumaran
For R1 to R5	: Mr.J.Ashok, Additional Government Pleader
For R6	: Mr.A.B.Jeeva

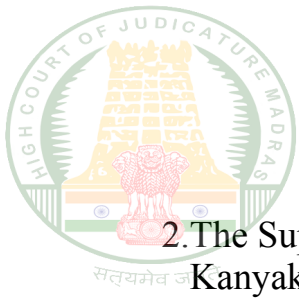
W.P.(MD)No.568 of 2020

A.Murugan

... Petitioner

Vs.

1. The District Collector,
Kanyakumari District,
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2.The Superintendent of Police,
Kanyakumari District, Nagercoil.

3.The Revenue Divisional Officer,
Padmanabhapuram, presently at Thuckalay,
Kanyakumari District.

4.The Tahsildar,
Kalkulam Taluk,Thuckalay,
Kanyakumari District.

5.The Block Development Officer,
Thuckalay Panchayat Union,
Thuckalay, Kanyakumari District.

6.The Inspector of Police,
Eraniel Police Station, Kanyakumari District.

7.Haridoss

8.Mahendiran

9.Rajesh

10.Nelson

11.Ravindran

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 4 to take stringent action against the respondents 7 to 11 and the officials concerned who are restraining the petitioner from entering into their community crematorium situated in Saralvilai Village, Aathivilai Panchayat, Kalkulam Taluk, Kanyakumari District for burying the dead body of their community people on the basis of the petitioner's representation dated 21.12.2019.



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For Petitioner : Ms.S.Vinodha
For R1 to R5 : Mr.J.Ashok,
Additional Government Pleader
For R6 : Mr.T.Senthil Kumar,
Additional Public Prosecutor
For R7 to R11 : Mr.T.Balakumaran

COMMON ORDER

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

Today (08.07.2025), when the matter is taken up for hearing, the learned Government Pleader appearing for the official respondents would submit that no dead bodies were buried in the objectionable place for the past about 10 years.

2.Admittedly, the subject burial ground situates amidst to the residential area and therefore, the revenue authorities have to allot alternate land for burial of dead bodies. Further, in view of the fact that no activities are going on in the subject land for the past 10 years, the authorities shall ensure that alternate land has been provided.



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3. With the above observation, these Writ Petitions are disposed of. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.S., J.) & (A.D.M.C., J.)
08.07.2025

NCC : Yes / No
Index : Yes / No

Yuva

To

1. The District Collector,
Kanyakumari District,
Nagercoil.
2. The Superintendent of Police,
Kanyakumari District, Nagercoil.
3. The Revenue Divisional Officer,
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Kanyakumari District.
4. The Tahsildar,
Kalkulam Taluk, Thuckalay,
Kanyakumari District.
5. The Block Development Officer,
Thuckalay Panchayat Union,
Thuckalay, Kanyakumari District.

5/7



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6.The Inspector of Police,
Eraniel Police Station, Kanyakumari District.

7.The Assistant Director (Panchayats),
Collectorate, Kanyakumari District.



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S.M.SUBRAMANIAM, J.

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