



W.P(MD)No.29091 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 16.10.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

**W.P(MD)No.29091 of 2025
and
W.M.P(MD)No.22555 of 2025**

K.K.Mayilsamy

... Petitioner

Vs.

1.The District Collector,
Collectorate,
Dindigul, Dindigul District.

2.The Revenue Divisional Officer,
Dindigul Division,
Dindigul District.

3.The Tahsildar,
Dindigul West Taluk,
Dindigul District.

4.The Special Officer,
Pudhuchatiram Panchayat,
Pudhuchatiram,
Dindigul West Taluk,
Dindigul District.

5.Manikandan

... Respondents



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Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to take appropriate action against fifth respondent who is trying to convert the property in Sy.No.312/7, of Palakkanuthu Village, Dindigul West Taluk, into a crematorium /grave-yard by considering the representation of the petitioner dated 18.09.2025 within a time frame that may be stipulated by this Court.

For Petitioner : Mr.SC.Herold Singh

For Respondents : Mr.M.Gangatharan
Government Advocate
for R.1 to R.3

Mr.R.Ragavendran
Government Advocate
for R.4

ORDER

Heard the learned counsel for the writ petitioner, the learned Government Advocate appearing for the respondents 1 to 3 and the learned Government Advocate appearing for the fourth respondent. Considering the nature of relief to be granted, issuance of notice to the fifth respondent is dispensed with.

2.The petitioner is a resident of Palakkanuthu Village. His allegation is that Survey No.312/7 is being converted into a burial ground.



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3.The learned Government Advocate confirms that Survey No.312/7 has been classified only as “odai” (water body).

4.The Hon'ble Full Bench had already held that a place can be used as a burial ground or a cremation ground only if it has been duly notified. Admittedly, Survey No.312/7 has not been notified as a burial or cremation ground. Therefore, nobody can be allowed to convert the same. A water body must remain a water body for all times to come. If the character of the water body has been altered, the original position shall be restored. Appropriate legal action shall be taken against the persons who had indulged in such illegal activities.

5.This Writ Petition is allowed accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [B.P., J.]
16.10.2025

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

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G.R.SWAMINATHAN, J

and

B.PUGALENDHI, J.

MGA

To

- 1.The District Collector,
Collectorate,
Dindigul,
Dindigul District.
- 2.The Revenue Divisional Officer,
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Dindigul District.
- 3.The Tahsildar,
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- 4.The Special Officer,
Pudhuchatiram Panchayat,
Pudhuchatiram,
Dindigul West Taluk,
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