



W.P.No.14419 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.04.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.14419 of 2026

AND

W.M.P.No.15627 of 2026

A.Prabhakaran
S/o.Ambethkar
No.443, VOC Street
Gerugambakkam Village
Kancheepuram-600 122

Petitioner(s)

Vs

1. The State of Tamil Nadu
Rep. by its Secretary
Department of Rural Development
and Panchayat Raj, Secretariat
Fort St. George, Chennai-600 009

2.The District collector
Kancheepuram District
Collectorate Office
Kancheepuram-631 501

3.The Revenue Divisional Officer
Sriperumbudur Taluk
Kancheepuram District



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4.The Tahsildar
Kundrathur Taluk
Kancheepuram District

5.The Block Development Officer
Kundrathur Taluk
Kancheepuram District

6.The President
Gerugambakkam Village Panchayat
Kancheepuram District.

7.The Executive officer
Gerugambakkam Village Panchayat Union
Kancheepuram District.

Respondent(s)

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorari calling for the records relating to the impugned order *vide* COLKPM/5990/2025/A3 dated 23.01.2026 passed by the second respondent the District collector, Kancheepuram District, approving conversion of Survey No.547, Gerugambakkam Village, into burial grounds, and quash the same as arbitrary, illegal, and unsustainable in law and consequently direct the respondents to identify and allot an alternative site strictly in compliance with all relevant environmental and public health safeguards, principles of natural justice.

For Petitioner : Mr.K.M.Kanishkaran

For Respondents : Mr.A.Edwin Prabakar
State Government Pleader
Assisted by Mr.M.Habeeb Rahman
Government Advocate

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ORDER
(Made by G.ARUL MURUGAN,J.)

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Challenge in the writ petition is to the order of the second respondent/District Collector dated 23.01.2026, whereby the objections of the petitioner in granting permission for conversion of a portion of land in survey No.547, Gerugambakkam Village, as burial ground, came to be rejected.

2.It is the case of the petitioner that the land in survey No.547, measuring an extent of 1.88.5 hectares at Gerugambakkam Village, Kancheepuram District, is classified as Government poramboke land (cart track). While so, the sixth respondent Panchayat has passed a resolution on 04.09.2025 for converting the aforesaid land into a burial ground/cemetery. The petitioner, along with villagers, had made objections to the resolution, as such a conversion would result in environmental degradation and public nuisance. Further, the land is situated adjacent to residential houses and the conversion is made without following the statutory procedures and the establishment of a burial ground would contaminate the groundwater source also. The District Collector had rejected the objections without considering these vital aspects, which is assailed in the writ petition.

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3.The learned counsel for the petitioner contended that there is a water channel nearby and also a water tank has been located in the land, which would get affected, in the event of converting the land as burial ground and the same has not been considered by the District Collector. He further submitted that the petitioner had suggested an alternative place, where the burial ground could be established and the present place is not suitable and is also objected by the villagers.

4.Mr.Edwin Prabakar, learned State Government Pleader, taking notice and appearing for the respondents, submitted that all the objections were considered by the District Collector and after finding that the objections are untenable, had rejected the same and approved the conversion of the aforesaid land as burial ground. He further submitted that it has been a long-standing demand for nearly four decades by the Christians and Muslims in that area for providing a burial ground in the village.

5.Considered the submissions and perused the materials available on record.



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6.At the outset, it is to be noted that there is an extent of 1.88.50 hectares in survey No.547 of Gerugambakkam Village, which is admittedly classified as Government Poramboke land. There had been a long-standing demand for nearly four decades by the Christian and Muslim community in that area, seeking a place for a burial ground. The sixth respondent Panchayat had also duly resolved by its resolution dated 04.09.2025, for conversion of the above land into a burial ground/cemetery. Out of the total extent of 1.88.50 hectares, 0.81.0 hectares was identified and decided to be converted as burial ground to be given for the Christian and Muslim community, by allotting 0.40.50 hectares to each of them.

7.The petitioner had made objections and pursuant to the directions passed by this Court dated 27.11.2025 in W.P.No.45314 of 2025, the District Collector had conducted a detailed enquiry. The petitioner had participated in the enquiry and all the objections were considered by the authority. The alternative place suggested by the petitioner in survey No.738/2, since it is classified as a grazing land, was not found suitable for conversion as burial ground.



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8.From the documents and materials placed, the District Collector found that the above land in survey No.547 is situated 100 meters away from the residential area and also 250 meters away from the School. Further, there is only a drainage channel running nearby and there is no possibility of any environmental issue or hazard, in view of conversion of the land as burial ground. The authority had also recorded that it is a long-standing demand of nearly four decades by nearly 20,000 residents belonging to Christian and Muslim community living in the adjacent ten villages seeking for a place to be allotted as burial ground and therefore, there is urgent need for allotment.

9.The contention of the learned counsel that a water tank is situated and the conversion of the land as burial ground will affect the same is misplaced and is liable to be rejected, for the simple reason that the entire land has not been earmarked as burial ground and out of 1.88.50 hectares, only a portion of 0.81.0 hectares alone has been allotted to be converted as burial ground. Therefore, the water tank or any other facility already available would remain undisturbed.



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10. When all the objections of the petitioner have been duly considered and the second respondent authority had passed a reasoned order, taking into consideration the factual aspects and the requirements to be met out, we find no error or illegality in the impugned order passed.

11. Accordingly, the writ petition stands dismissed. There shall be no order as to costs. Consequently, interim application stands closed.

(SUSHRUT ARVIND DHARMADHIKARI, CJ) (G. ARUL MURUGAN, J)
16.04.2026

Index : Yes/No
Neutral Citation : Yes/No
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To

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