



W.P.(MD) No.13171 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.01.2026

CORAM

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.(MD)No.13171 of 2023

and

W.M.P.(MD).No.11131 of 2023

A.Ganesan

... Petitioner

Vs

1. The District Collector,
Collectorate Campus,
Sivagangai,
Sivagangai District.
2. The Assistant Director (Panchayat),
Collectorate Campus,
Sivagangai,
Sivagangai District.
3. The Revenue Divisional Officer,
Collectorate Campus,
Sivagangai,
Sivagangai District.
4. The Tahsildar,
Taluk Office,
Devakottai,
Sivagangai,
Sivagangai District.
5. The Panchayat President,
Sarugani Panchayat,
Devakottai Taluk, Sivagangai District.



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6. The Deputy Superintendent of Police,
Devakottai,
Sivagangai District.

7. The Inspector of Police,
Taluk Police Station,
Devakottai (Having Jurisdiction Over
Thiruvegampathu Ps),
Sivagangai District.

8. Senthamil Selvan

9. Anbu Selvan

10. Ramalingam

11. Ramasamy

12. Dhiravidamai

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 7 to exhume the body of the deceased Pitchai Udayar buried on 22.04.2023 in his punja land comprised in S.No.22/2A2 situated at Lenin Nagar, Nagamathi Village, Sarugani Post, Devakottai Taluk, Sivagangai District, adjacent to the petitioner's land, residential building and the petitioner's wife's BIS Licensed R.O. Drinking Water Unit, within 20 feet distance and to cremate the same in the village common burial ground.

For Petitioner : Mr.R.Murugan

For R-1 to R-5 : Mr.S.Shanmugavel,
Additional Government Pleader



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For R-6 & R-7 : Mr.A.Albert James,
Government Advocate
(Criminal Side)

For R-8 to R-12 : Mr.S.Srinivasaraghavan

ORDER

This Writ Petition has been filed seeking a direction to the respondents 1 to 7 to exhume the body of the deceased Pitchai Udayar buried on 22.04.2023 in his punja land comprised in S. No.22/2A2 situated at Lenin Nagar, Nagamathi Village, Sarugani Post, Devakottai Taluk, Sivagangai District, adjacent to the petitioner's land and to cremate the same in the village common burial ground.

2. It is the case of the petitioner that respondent Nos.8 and 9 buried the body of their deceased father adjacent to the petitioner's property. Therefore, the petitioner submitted a representation to the official respondents on 08.05.2023 seeking exhumation of the said body. Since the said representation has not been considered till date, the petitioner has approached this Court.

3. The learned Additional Government Pleader appearing for respondent Nos.1 to 5 would submit that the representation of the petitioner dated 08.05.2023 would be considered in accordance with law.



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4. In view of the same, without expressing any opinion on the merits of the matter, this Court directs the first respondent to consider the representation of the petitioner dated 08.05.2023 and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

06.01.2026

Index : Yes/No

Internet: Yes/No

Neutral Citation: Yes/No

TSG

To

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Sivagangai,
Sivagangai District.
2. The Assistant Director (Panchayat),
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Sivagangai,
Sivagangai District.
3. The Revenue Divisional Officer,
Collectorate Campus,
Sivagangai,
Sivagangai District.



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4. The Tahsildar,
Taluk Office,
Devakottai,
Sivagangai,
Sivagangai District.
5. The Panchayat President,
Sarugani Panchayat,
Devakottai Taluk, Sivagangai District.
6. The Deputy Superintendent of Police,
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KRISHNAN RAMASAMY, J.

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