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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.03.2026**

CORAM:

THE HONOURABLE **MR.JUSTICE N.SATHISH KUMAR**
AND
THE HONOURABLE **MR.JUSTICE M.JOTHIRAMAN**

W.A.(MD)No.2540 of 2025
and
C.M.P.(MD)No.14511 of 2025

Palanichamy

...Appellant

Vs.

- 1.Chellam @ Chellammal
- 2.The District Collector,
District Collector Office,
Pudukkottai District.
- 3.The Assistant Director (Panchayat),
District Collector Office,
Pudukkottai District.
- 4.The Revenue Divisional Officer,
Illuppur Revenue Division,
Illuppur Taluk,
Pudukkottai District.
- 5.The Tahsildar,
Taluk Office,
Virarlimalai Taluk,
Pudukkottai District.



6.The President,
Kalkudi Panchayat,
Kalkudi Village,
Viralimalai Taluk,
Pudukkottai District.

...Respondents

PRAYER:- Writ Appeal – filed under Clause 15 of the Letters Patent, to set aside the order of this Court dated 10.07.2025 in W.P.(MD)No.28801 of 2023 by allowing this writ appeal.

For Appellant	: Mr.P.Ganapathi Subramanian
For Respondents	: Mr.S.P.Maharajan (R2 to R5) Special Government Pleader Mr.R.Paranjothi (R1) No Appearance (R6)

JUDGMENT

(Judgment of the Court was delivered by **N.SATHISH KUMAR, J.**)

This writ appeal is filed challenging the order of the learned Single Judge dated 10.07.2025 in W.P.(MD)No.28801 of 2023.

2.The writ petition was filed seeking a direction to the official respondents to forbear the villagers from burying or burning the cops in the property in S.F.No.169/17A situated in Kalkudi Village, Viralimalai Taluk, Pudukkottai District claiming that it is his private patta land.



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3.The learned Single Judge considering the fact that the subject property is the private patta land and a suit with regard to the dispute over that property is also pending before the competent civil Court directed the respondents 1 to 4 to restrain the private respondents as well as the villagers of Kallikudi Village from burying or burning corpse in S.No.169/17A.

4.Challenging the said order, the appellant has filed the present writ appeal contending that the writ petitioner, without any valid documents, is claiming right over the property. It is further contended that the learned Single Judge ought to have dismissed the writ petition and relegated the parties to the civil Court instead of granting the relief sought for.

5.Heard the learned counsel appearing on either side and perused the materials placed on record.

6.Admittedly, the revenue records reveal that the subject property is a private patta land. Therefore, the appellant cannot seek to convert the same into a burial ground (mayanam). It is a well-settled



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legal position that burial cannot be permitted in private patta land except in the notified areas. The learned Single Judge, having considered these aspects, has rightly allowed the writ petition. We find no reason to interfere with the said order.

7. Accordingly, this writ appeal is dismissed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

[N.S.K., J.] & [M.J.R., J.]
25.03.2026

Index : Yes/No
Internet : Yes
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**N.SATHISH KUMAR, J.
AND
M.JOTHIRAMAN, J.**

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W.A.(MD)No.2540 of 2025

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(1/2)