

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-08-2025

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CORAM

THE HONOURABLE MRS.JUSTICE N. MALA

WP No. 32685 of 2025

1. D.Jayanthi

W/o. Dakshina Moorthy, 10/7, Amsa
Kovil Kattukottai, R.Pudupatti Post,
Rasipuram Taluk, Namakkal District

Petitioner(s)

Vs

1. The District Collector

Namakkal, Namakkal District

2.The Revenue Divisional Officer

Namakkal, Namakkal District

3.The Tahsildar

Rasipuram Taluk, Namakkal District

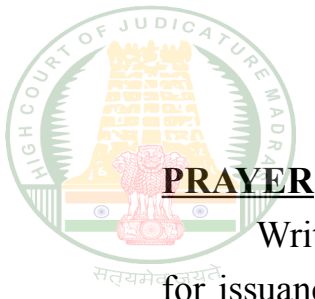
4.The Block Development Officer

Rasipuram , Namakkal District

5.The Secretary

Town Panchayat, R.Pudupatti ,
Rasipuram Taluk, Namakkal District

Respondent(s)



PRAYER

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents 3 to 5 to survey and erect a fencing over burial ground located in Survey No. 159/5 an extent of 0.34.5 Hec. at R.Pudupatti Village, Rasipuram Taluk, by implementing the order of 2nd respondent dated 3.12.2019 and considering the petitioners representation dated 12.03.2025.

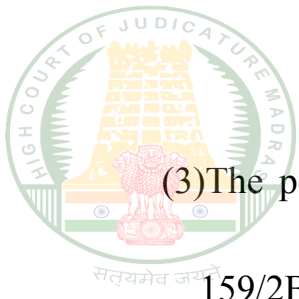
For Petitioner(s): Mr.M.Elango

For Respondent(s): Mrs.C.Meera Arumugam, Agp
For Respds.

ORDER

(1)Mrs.C.Meera Arumugam, learned Additional Government Pleader accepts notice on behalf of the respondents. With the consent of both the learned counsels, the main writ petition is taken up for final disposal at the admission stage itself.

(2)The writ petition is filed for a mandamus directing the respondents 3 to 5 to survey and erect a fencing around burial ground located in Survey No. 159/5 an extent of 0.34.5 Hec. at R.Pudupatti Village, Rasipuram Taluk, by implementing the order of 2nd respondent dated 03.12.2019 and considering the petitioner's representation dated 12.03.2025.



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(3) The petitioner is the owner of the agricultural lands in S.Nos.159/1B and 159/2B at N.Pudupatti Village, Rasipuram Taluk, Namakkal District. The

petitioner states that adjoining his aforesaid lands, on the Eastern side, a burial ground is situate in S.No.159/5 measuring an extent of 0.34.5 Hectares.

While so, the villagers encroached upon the petitioner's lands by extending the said burial ground. The petitioner states that he submitted a representation on 04.11.2019, to the 2nd respondent seeking survey of the burial ground and for erection of fence around the burial ground, so as to protect his lands from encroachment. Pursuant to the petitioner's representation dated 02.12.2019, the 2nd respondent sent a communication on 03.12.2019, directing the 4th respondent to conduct a survey of the burial ground and to fence the same by taking appropriate action. Since the 4th respondent failed to comply with the 2nd respondent's aforesaid communication, the petitioner was constrained to file the above writ petition for the aforesaid relief.

(4) Heard both sides and perused the materials placed on record.



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(5) The communication of the 2nd respondent dated 03.12.2019 reveals that a direction was issued to the 4th respondent to survey the burial ground and to erect the fencing around the burial ground. Though the communication was issued as early as on 03.12.2019, till date, the 4th respondent has not initiated any action.

(6) In view of the said facts, this Court is inclined to direct the 4th respondent to comply with the communication of the 2nd respondent dated 03.12.2019, within a period of twelve weeks from the date of receipt of a copy of this order.

(7) The writ petition is **disposed of with the above direction.** No costs.

28-08-2025

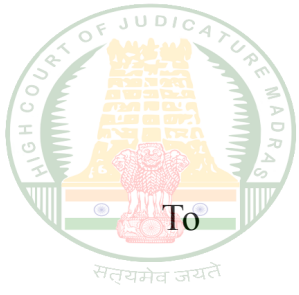
AP

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

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N.MALA J.

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