

BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE

Application No.426 of 2013

In the matter of

1.Mohammed Jainulabudeen,

Appananallur.

2. Masjidhul Eamam Pallivasal,

Rep. by its Muthavalli Haji A. Mohammed Yacob,

Appananalur.

And

.. Applicants

1.The District Collector,

Trichy.

2. The Block Development Officer,

Thottiyam.

3. The President,

Appananallur Panchayat.

4. District Environmental Engineer,

Tamil Nadu Pollution Control Board,

Thuvakudi.

.. Respondents

Counsel appearing for the applicant

Shri. R. Thiagarajan

Counsel appearing for the respondents

M/s. M.K. Subramanian for R1

M/s. Abdul Saleem & Saravanan for R2 & R3

Smt. H. Yasmeen Ali for R4

## ORDER

Present

Hon'ble Shri Justice Dr.P. Jyothimani, Judicial Member

Hon'ble Prof. Dr. R. Nagendran, Expert Member

2nd November, 2015

This application is for a direction against the respondents 2 and 3 from converting the poramboke land in S.F.No.508/2 of Appananallur village as a cremation/burial ground.

2. The petitioners who are the residents of Appananallur village are aggrieved by the attempt stated to have been made by the respondents 2 and 3 to put up a cremation ground in S.F.No.508/2 which is a poramboke land and occasionally used as a burial ground by Adi Dravidar community people. The applicants who are belonging to the minority Muslim community are taking up the issue due to the reason that if the area is made as a cremation ground it will be against their religious sentiments, as the applicants and other people belonging to the same religion are living in the nearby area and their practice is only burying the dead body. During the course of hearing, we have given long adjournments to enable to panchayat viz., the 3rd respondent to have peace talks with the people in consultation with the adjacent panchayat viz., Kulakudi panchayat. However, the said settlement has not been reached so far.

3. The learned counsel appearing for the applicants has submitted that in fact Kulakudi panchayat union is taking up the issue seriously and the matter is likely to be settled within three months time.

4. On the other hand, the learned counsel appearing for the 1st respondent District Collector would submit that taking advantage of the pendency of the application the issue is not being resolved and there is a possibility for communal tension.

5. Taking note of the fact that these are the issues which are to be settled by the Peace Committee, we are of the considered view that as submitted by the learned counsel appearing for the applicants a further three months period shall be given and the matter should be disposed of with a direction that if after the period of three months a settlement is not resorted to, it will be open to the respondents 2 and 3 to proceed with their proposal.

6. Accordingly, the application stands disposed of with a direction that within three months from today a settlement by way of peace talks should be effected and in the event of such settlement not brought about, it will be open to the respondents 2 and 3 after the

period of three months to proceed to convert the poramboke land in S.F.No.508/2 of Appananallur Village into to a cremation/burial ground.

7. We hope that this being a communal issue, the same will be considered by both the panchayats on a humanitarian ground.

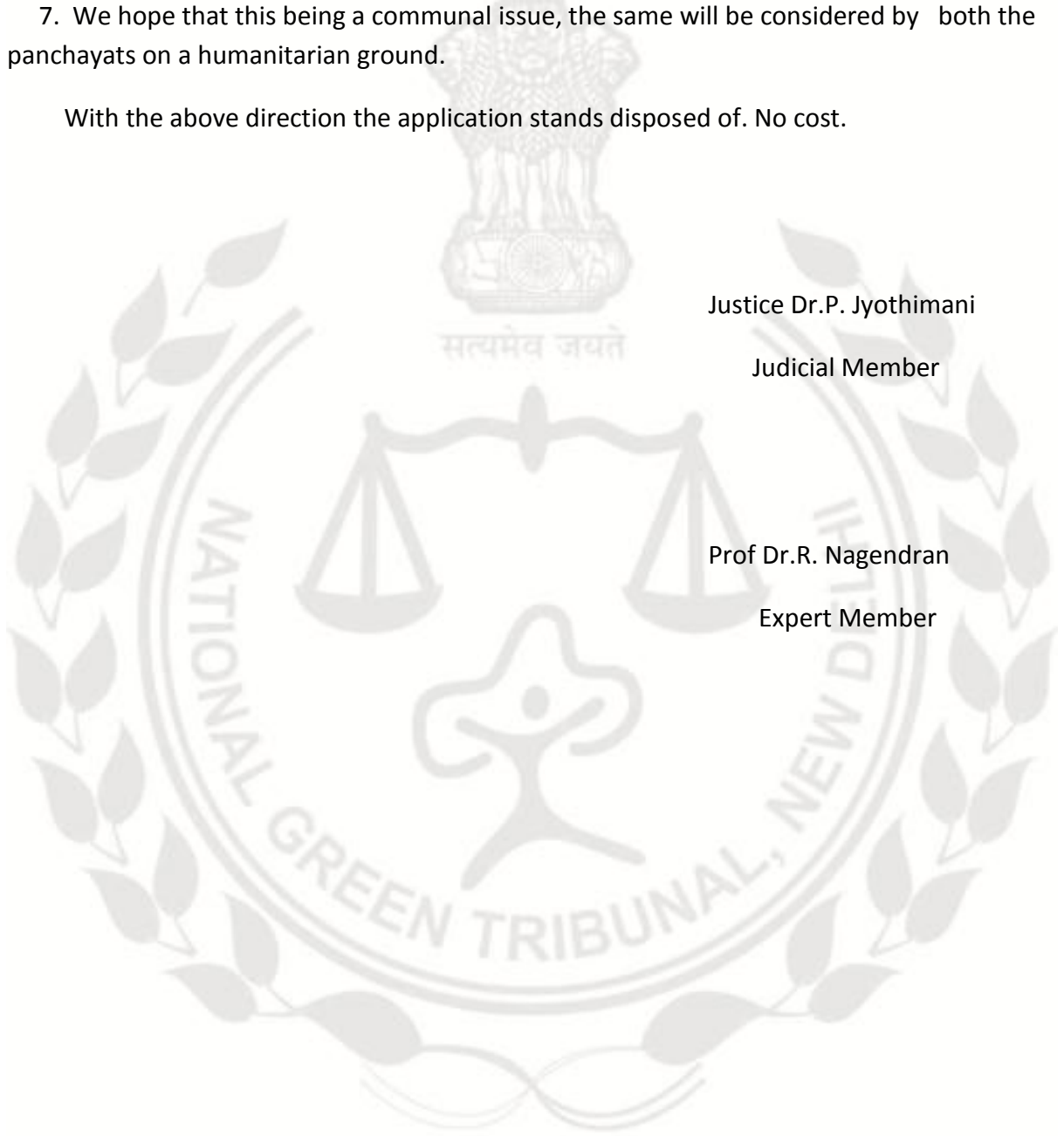
With the above direction the application stands disposed of. No cost.

Justice Dr.P. Jyothimani

Judicial Member

Prof Dr.R. Nagendran

Expert Member



# NGT