



W.P(MD)No.7779 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.12.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD) No.7779 of 2023

Sahayaraj

... Petitioner

Vs.

1.The District Collector,
Pudukkottai District,
Pudukkottai.

2.The Tahsildar,
Taluk Office,
Thirumayam Taluk,
Pudukkotai District.

3.The Inspector of Police,
Arimalam Police Station,
Arimalam,
Pudukkotai District.

4.Filominraj

5.Arulananthu

6.The Roman Catholic Diocese of Thanjavur
represented by its Administor,
Bishop House,
Sachidananda Moopanar Road,
VOC Nagar,
Arulnanda nagar West Extension,
Thanjavur.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 3 herein to take action against the respondents 4 and 5 herein for Excommunicating the petitioner and his family members from exercising their religious right worship and consequently permit the petitioner and his family members to perform their religious duties by participating in the religious ceremonies of the St. Sebastian (Sabasthiyar) Church, Ovattupalayampatti, Vanniyampatti Post, Thirumayam Taluk, Pudukkottai District in so far as petitioner and his family members are concerned.

For Petitioner	:Mr.S.Alagusundar
For R1 to R3	:Mr.M.Sakthi Kumar Government Advocate (Crl.side)
For R4 & R5	: Mr.D.Ramesh Kumar
For R6	: Mr.A.Arunprasad

ORDER

This Writ Petition is filed in the nature of Writ of Mandamus, directing the respondents 1 to 3 herein to take action against the respondents 4 and 5 herein for Excommunicating the petitioner and his family members from exercising their religious right worship and



W.P(MD)No.7779 of 2023

consequently permit the petitioner and his family members to perform their religious duties by participating in the religious ceremonies of the St. Sebastian (Sabasthiyar) Church, Ovattupalayampatti, Vanniyampatti Post, Thirumayam Taluk, Pudukkottai District in so far as petitioner and his family members are concerned.

2. The facts in brief:- The petitioner is attached to the Sebastiyar Chapel, situated in Survey No.266-2 to an extent of 0.08.5 Acres and 267-4 to an extent of 0.04.0 Ares in Perungudi Village, Thirumayam Taluk, Pudukkottai District. He got some issues with the respondents 4 and 5. He was seriously assaulted. Against which a complaint was given by him, which was tried in C.C.No.41 of 2022 and the accused were convicted and sentenced. Later, their sentence was suspended. Taking the above said issue, they are preventing the petitioner from entering into the Chapel to offer his prayers and ex-communicating him. Based upon the issue, he sent representation dated 21.12.2022. Since the representation was not considered, this writ petition came to be filed.

3. Learned counsel appearing for the respondents 4 and 5



W.P(MD)No.7779 of 2023

submitted that eventhough they are the committee members, they have not prevented the petitioner from entering into the Chapel. It is also submitted that they were not convicted by any of the Court.

4. The sixth petitioner is the controlling authority, who stated that no trouble was made to the petitioner and no ex-communication on the petitioner by the private respondents. Learned Government Advocate also confirmed the statement of the sixth respondent.

5. In view of the above submissions made by the respondents herein, nothing survives for adjudication in this case. Accordingly, this Writ Petition is disposed of. No costs.

14.12.2023

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No

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W.P(MD)No.7779 of 2023

To

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1. The District Collector,
Pudukkottai District,
Pudukkottai.
2. The Tahsildar,
Taluk Office,
Thirumayam Taluk,
Pudukkottai District.
3. The Inspector of Police,
Arimalam Police Station,
Arimalam,
Pudukkottai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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W.P(MD)No.7779 of 2023

G.ILANGO VAN, J

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Order made in
W.P(MD)No.7779 of 2023

Dated 14.12.2023