



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.11.2015

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P. (MD) No.19337 of 2015

S.Vaithilingam

... Petitioner

Vs.

1.The District Collector,
Tirunelveli District, Tirunelveli.

2.The Revenue Divisional Officer,
Tenkasi, Tirunelveli District.

3.The Block Development Officer,
Alangulam Union,
Alangulam, Tirunelveli District.

4.The Inspector of Police,
Uthumalai Police Station,
V.K.Puthur Taluk,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for the issue of a Writ of Mandamus to direct the respondents 1 to 3 to conduct proper enquiry in Crime No.95 of 2015 on the file of the fourth respondent in order to maintain peace, social discipline and law and order at Vengateshwarapuram in Kadanganeri Village Panchayat, Alangulam Taluk, Tirunelveli District based on the representation of the petitioner dated 02.03.2015 within the stipulated time.

For Petitioner :Mr.Ananth C.Rajesh

For Respondents :Mr.S.Kumar
Additional Government Pleader
for R.1, R.2 and R.4
:Mrs.S.Bharathi
Government Advocate
for R.3

ORDER

The petitioner seeks for a Mandamus directing the respondents 1 to 3 to conduct proper enquiry in Crime No.95 of 2015 on the file of the fourth respondent in order to maintain peace, social discipline and law and order at Vengateshwarapuram in Kadanganeri Village Panchayat, Alangulam Taluk, Tirunelveli District based on the representation of the petitioner dated 02.03.2015.



2. It appears that in pursuant to the complaint given before the police in respect of a caste clash between two groups of people, the petitioner seeks for a direction to the Revenue Officials to conduct an enquiry.

3. The fourth respondent filed a counter affidavit wherein it is stated that there was a caste clash between the Arunthathiyar community people with other caste Hindus and a complaint was made by one Sorimuthu, son of Sellamuthu and consequently a criminal case in Crime No.95 of 2015, on the file of the Oothumalai Police Station was registered under Sections 147, 148, 294(b), 324, 307, 506(ii) I.P.C. r/w 3(2)(v) of SC/ST (P.O.A.) Act, 1989 against six persons including the petitioner herein. It is further stated therein that the petitioner herein has surrendered on 30.04.2014 before the learned P.C.R. Court, Tirunelveli and came out on bail. It is further stated therein that the Deputy Superintendent of Police, Alangulam has conducted the investigation in the said case and laid the charge sheet on 26.06.2015 and now the case is numbered as P.R.C.NO.46 of 2015 pending trial before the P.C.R. Court, Tirunelveli.

4. Considering the above stated facts and circumstances, I am of the view that nothing survives in this Writ Petition to be adjudicated upon further in view of the fact that already the criminal Court has taken cognizance of the matter and therefore there is no question of issuing any direction to the Revenue Officials to conduct enquiry in respect of such crime alleged to have been committed. Therefore I find no merits to entertain the present Writ Petition, as already the competent criminal Court has taken cognizance of the matter.

5. Accordingly, this Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar (Per.Admn)

/True Copy/

Sub Assistant Registrar

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To

1. The District Collector, Tirunelveli District, Tirunelveli.

2. The Revenue Divisional Officer,
Tenkasi, Tirunelveli District.

3. The Block Development Officer,
Alangulam Union, Alangulam, Tirunelveli District.

4. The Inspector of Police, Uthumalai Police Station,
V.K.Puthur Taluk, Tirunelveli District.

+1CC to Mr. Ananth C. Rajesh Advocate Sr.No.64932

+1CC to Spl. Government Pleader Sr.No.65007

AA/KBM/18/11/2015-2P-7C

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