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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :09.07.2015

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD).Nos.9065 and 20436 of 2014
and MP(MD)No.1 & 1 2014

W.P.(MD).No.9065 of 2014:

Piramaiah ... Petitioner

Vs

1.The District Collector,
Pudukkottai District,
Pudukkottai.

2.The District Revenue Officer,
Pudukkottai District, Pudukkottai.

3.The Superintendent of Police,
Pudukkottai District, Pudukkottai.

4.The Inspector of Police,
Namanasamuthiram Police Station,
Pudukkottai District.

5.Subramani
6.Arumugam
7.Ramaiah
8.Karuppiah
9.Natarajan
10.Andiappan
11.Subbiah
12.Kumar
13.Selvaraj ... Respondents

PRAYER: This Writ Petition has been filed under Article 226 of the Constitution of India praying for a writ of Mandamus directing the respondents 1 to 4 to take necessary action against the respondents 5 to 13 and their committee members in accordance with law for committing the offence of ex-communication of the petitioner and his family members from the Vadakkupatti Village, Thirumayam Taluk, Pudukkottai District and consequently direct the respondents 1 to 4 to ensure peaceful and safety life of the petitioner in the Vadakkupatti village without any excommunication and without any infringement of his fundamental rights envisaged in the constitution of India.

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W.P.(MD).No.20436 of 2014:

Piramaiah ... Petitioner

Vs

1.The District Collector,
Pudukkottai District,
Pudukkottai.

2.The Tahsildar,
Thirumayam Taluk Office,
Pudukkottai District. .... respondents

PRAYER: This Writ Petition has been filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents to consider the representation dated 04.02.2014 within the time stipulated by this Court.

For both Writ Petitions :-
For petitioners : Mr.E.Balasubramanian
For Official respondents : Mr.M.Murugan, Govt.Advocate
For Respondents 5 to 13 in WP(MD)No.9065/2014 :Mr.G.Mathavan, Advocate

COMMON ORDER

In both the Writ Petitions, the petitioner is one and the same. While in W.P.(MD).No.9065 of 2014, the petitioner has alleged that he has been ex-communicated by the Villagers and thereby seeking action against the private respondents 5 to 13 and in W.P.(MD).No.9065 of 2014, he wants the encroachment made by the third parties to be removed so as to have an access to his property. Ventilating his grievance, the petitioner has made a separate representation to the concerned official respondents. However, no action has been taken by them forcing the petitioner to file the Writ Petitions.

2. Mr.M.Murugan, learned Govt.Advocate takes notice for the official respondents.

3. The learned counsel appearing for the petitioner would submit that it would be suffice if the representations of the petitioner in each of the Writ Petitions are disposed of, by the official respondents, on merits and in accordance with law, within the time stipulated by this Court.

4. On notice, the learned Govt.Advocate would submit that the representations of the petitioner in each of the Writ Petition will be considered in accordance with law.

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6. In view of the above, without going into the merits of the claim made by the petitioner in these Writ Petitions, the first respondent is directed to pass appropriate orders on the representations of the petitioner, dated 12.05.2014 and 29.11.2014, respectively, on merits and in accordance with law, after giving an opportunity of hearing to the petitioner, the private respondents herein as well as any of the interested parties, within a period of four weeks from the date of receipt of a copy of this order. The petitioner is directed to enclose a copy of the representation made in each of the Writ Petition, along with a copy of this order, for passing proper order by the first respondent.

With the above direction, these Writ Petitions stand disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

ssm

To

1.The District Collector,
Pudukkottai District, Pudukkottai.

2.The District Revenue Officer,
Pudukkottai District, Pudukkottai.

3.The Superintendent of Police,
Pudukkottai District, Pudukkottai.

4.The Inspector of Police,
Namanasamuthiram Police Station, Pudukkottai District.

5.The Tahsildar,
Thirumayam Taluk Office, Pudukkottai District.

+2cc to Mr.E.Bala Subramanian,Advocate in SR Nos.37570 & 37569

+1cc to Special Government Pleader in Sr Nos.38065 & 38069

+1cc to Mr.G.Mathavan, Advocate in Sr NO.37954

W.P(MD).Nos.9065 and 20436 of 2014
09.07.2015

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