

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.01.2016

CORAM

THE HON'BLE MR. JUSTICE M.M.SUNDRESH

W.P.Nos.17650 to 17654 of 2015

R.Kalaichandran ... Petitioner in W.P.No.17650 of 2015
C.Madan Kumar ... Petitioner in W.P.No.17651 of 2015
S.Malathi ... Petitioner in W.P.No.17652 of 2015
C.Senthilkumar ... Petitioner in W.P.No.17653 of 2015
T.Anitha ... Petitioner in W.P.No.17654 of 2015

Vs.

1. The State of Tamil Nadu,
rep.by its Secretary to State,
Home Department,
Fort St.George,
Chennai,
2. The District Collector,
District Collectorate,
Ma.Singaravelar Maaligai,
Rajaji Salai,
Chennai,
3. The Joint Commissioner of Police,
St.Thomas Mount,
Chennai,
4. Mr.Riyazudeen,
Inspector of Police (Law & Order),
J-6, Thiruvannamiyur Police Station,
Chennai - 600 041,
5. Mr.Christin Jayasil,
6. M.S.Veeran
7. B.Palani
8. T.Kumaran
9. S.Chandru
10. G.Kothandan
11. R.Palani
12. T.Kandan
13. B.Srinath
14. N.Gnanamurthy
15. B.Gurunathan
16. R.Vetrivel
17. K.Prabhu
18. A.Mohan

... Respondents in all W.Ps

Petitions in W.P.Nos.17650 to 17654 of 2015 are filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the respondents 1, 2 and 3 to initiate appropriate legal proceedings against the respondents 4 to 18 in view of the petitioner's representation dated 9.6.2015 as per the Judgment of this Court rendered in CDJ 2005 MHC 1139.

For Petitioner : Mr.J.Ashok
in all W.Ps

For Respondents : Mr.S.Pattabiraman, Govt. Advocate
1 to 3 in all W.Ps

For Respondents : No Appearance
4 to 18 in all W.Ps

COMMON ORDER

As the issue involved in all these writ petitions is one and the same, they have been taken up together and disposed of by a common order.

2. The petitioners belonged to the fishermen community. They have come to this Court with a grievance that on their refusal to comply with the illegal demand of payment of money, they have been ex-communicated by the private respondents. Learned counsel also submitted that the petitioners are unable to live in their own place of residence.

3. Counter affidavits have been filed by respondents No.2, 4 and 5. Based upon the said counter affidavits, learned Government Advocate submitted that it is a dispute between two groups. However, the petitioners would be given adequate protection if there is any threat.

4. Considering the said submission, this Court is inclined to direct the 3rd respondent to see that the petitioners are allowed to enter into their respective residences and live there peacefully. Even assuming that there is a dispute between two groups, the same cannot be a ground to drive the persons from their residence.

5. Accordingly, the writ petition is disposed of by giving liberty to the petitioners to approach the 3rd respondent seeking appropriate protection for their entry into their residence. As and when the petitioners approach the 3rd respondent, the said authority is directed to take all necessary steps to see that

the petitioners are allowed to enter and reside in their respective houses. No costs.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

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To

1. The Secretary to State,
Home Department,
State of Tamil Nadu,
Fort St.George,
Chennai,
2. The District Collector,
District Collectorate,
Ma.Singaravelar Maaligai,
Rajaji Salai,
Chennai,
3. The Joint Commissioner of Police,
St.Thomas Mount,
Chennai,

W.P.Nos.17650 to 17654
of 2015

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