



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.04.2017

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THE HON'BLE MR.JUSTICE P.N.PRAKASH

W.P.(MD) No.1269 of 2017

V.Prabakaran

... Petitioner

-vs-

- 1.The District Collector,
Trichirappalli.
- 2.The Tahsildar,
Taluk Office, Musiri,
Trichy District.
- 3.The Inspector of Police,
Pulivalam Police Station,
Musiri Taluk,
Trichy District.

- 4.L.Ganesan
- 5.P.Soundararajan
- 6.V.Sabapathy
- 7.P.Mani

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, directing the third respondent to consider the representation of the petitioner dated 21.11.2016, for appropriate action against the respondents 4 to 7 according to law.

For Petitioner : Mr.V.Singan

For Respondents : Mr.T.S.Mohammed Mohideen
Additional Government Pleader
for R.1 to R.3O R D E R

It is the case of the petitioner that his great grandfather was a Dalit and thereafter he is being excommunicated by the villagers and that the villagers are not permitted him to take part in the activities of the village. In this regard, the petitioner has given a representation dated 21.11.2016 to the Authorities for taking appropriate action and thereafter filed the present writ petition for mandamus with the above prayer.



2. Heard the learned Counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 to 3.

3. Mr.P.Paulraj, Sub-Inspector of Police, Pulivalam Police Station is present. On instructions, the learned Additional Government Pleader submitted that the petitioner is not a Dalit and that the petitioner and the respondents 4 to 7 belong to the same Nattamai community. He also submitted that on the complaint given by the petitioner, the Executive Magistrate-cum- Tahsildar conducted a peace committee talks and submitted a report dated 28.01.2017. A copy of the report has been furnished to the learned Counsel for the petitioner across the bar.

4. A reading of the report, it is seen that the Tahsildar had called both parties for peace talks and during the talks, the petitioner himself admitted that the respondents 4 to 7 have not ex-communicated him. It is the grievance of the petitioner that they are not collecting money from him for construction of a temple. In this regard, the Tahsildar has found that the villagers want to construct a temple in a Government land and the dispute with regard to the collection of fund for the temple can be settled between the petitioner and the respondents 4 to 7 by approaching the Court.

5. In view of the above no further direction is to be issued in this case. However, if the petitioner is not permitted to worship in the said temple, it is open to the petitioner to approach the local police to lodge a complaint to the local police and on such complaint being given, the police shall ensure that the petitioner is not prevented from worshiping in the said temple.

6. With the above directions, this Writ Petition is disposed of.

Sd/-

Assistant Registrar(CSII)

/True Copy/

Sub-Assistant Registrar

To:

- 1.The District Collector, Trichirappalli.
- 2.The Tahsildar, Taluk Office, Musiri, Trichy District.
- 3.The Inspector of Police, Pulivalam Police Station, Musiri Taluk, Trichy District.

+One cc to The Special Government Pleader, SR.No.50255
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