



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2017

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

W.P. (MD) No.133 of 2017

WEB COPY

D.Antony Xavier Mahesh Tavera

... Petitioner

Vs.

- 1.The State of Tamilnadu
Rep by it's Home Secsretary,
Secretariat, St. George Fort,
Chennai.
- 2.The District Collector,
District Collector Campus,
Thoothukudi District.
- 3.The Superintendent of Police,
O/O.The Superintendent of Police,
Thoothukudi District.
- 4.The Thasildar,
Thasildar Office,
Vilathiklam,
Thoothukudi District.
- 5.The Sub Inspector of Police,
Surankudi Police Station,
Thoothukudi,
Thoothukudi District.
- 6.Sagayaraj (Parish Priest)
- 7.Pepin Kagu
- 8.Anushiya
- 9.Ravindraranjan Fernando
- 10.Yovalan Fernando
- 11.Geethanjali

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent Nos.2 to 5 to enquire about the system of ex-communication followed by the respondent Nos.6 to 11 and consequently direct the respondent Nos.1 to 5 to take necessary action against the respondent Nos.6 to 11 and provide adequate protection to the petitioner and his family members to live peacefully in the village viz., Vembar Village, Vilathikulam Taluk, Thoothukudi District within the time period stipulated by this Court.

For Petitioner :Mr.T.Lajapathi Roy

For Respondents:Mr.T.S.Mohammed Mohideen, AGP for R1 to R5

<https://hcservices.ecourts.gov.in/hcservices/>

Mr.C.Jeganathan

for M/s Veera Associates for R6 to R11

**ORDER**

Heard, Mr.T.Lajapathi Roy, the learned counsel for the petitioner, Mr.T.S.Mohammed Mohideen, learned Additional Government Pleader appearing for R1 to R5 and Mr.C.Jeganathan, learned counsel appearing for R6 to R11.

2.It is the case of the petitioner that the respondent Nos.6 to 11 are conducting Kangaroo Courts and have excommunicated the petitioner from the Village.

3.The learned Additional Government Pleader appearing for the respondents 1 to 5 submitted that a case in Crime No.91 of 2016 under Section 107 Cr.P.C. has been registered against both the parties and the matter has been referred to the jurisdictional Tahsildar for appropriate action.

4.Recording the same, this Writ petition is closed with a direction to both the parties to work out their remedies in the manner known to law before the Executive Magistrate, who seized of the matter. No costs.

Sd/-
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

- 1.The Home Secretary,
Secretariat, St. George Fort, Chennai.
 - 2.The District Collector,
District Collector Campus, Thoothukudi District.
 - 3.The Superintendent of Police,
O/O.The Superintendent of Police,
Thoothukudi District.
 - 4.The Thasildar,
Thasildar Office, Vilathiklam,
Thoothukudi District.
 - 5.The Sub Inspector of Police,
Surankudi Police Station,
Thoothukudi, Thoothukudi District.
- +1 CC to M/s.T.LAJAPATHI ROY, Advocate, SR No. 16981
+1 CC to M/s.VEERA ASSOCIATES, SR No. 17463
+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No. 17066

TA/NBJ

PSM/MR/SAR3/21.04.2017/2P/9C