

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 03.04.2017****CORAM**

WEB COPY

THE HON'BLE MR.JUSTICE P.N.PRAKASH**W.P. (MD) No.787 of 2017**

R.M.Chidambaram,
S/o Raman,
Theradi Malampatti,
Melamelanilai Post,
Ponnamarvathi Taluk, Pudukkottai.

... Petitioner

-vs-

1. The District Collector,
Pudukkottai District.
2. The District Revenue Officer,
Pudukkottai District.
3. The Superintendent of Police,
Pudukkottai District.
4. The Deputy Superintendent of Police,
Ponnamaravathi,
Pudukkottai District.
5. The Inspector of Police,
Ponnamaravathi Police Station,
Pudukkottai District.
6. A. Solaiyappan,
S/o Aandi,
Theradi Malampatti,
Melamelanilai Post,
Ponnamaravathi Taluk,
Pudukkottai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, directing the 1st to 5th respondents to take necessary and appropriate action against the 6th respondent by considering the petitioner's representation dated 09.12.2016.

For Petitioner	:	Mr. R.Sivalingam
For Respondents 1-5	:	Mr.T.S.Mohammed Mohideen Addl. Govt. Pleader
For 6 th Respondent	:	Mr. Babu Rajendran

**O R D E R**

It is the case of the petitioner that he is a Dalit and that the 6th respondent and members of the Upper caste are practicing untouchability by preventing the petitioner from taking part in the activities of village Temple. In this regard, the petitioner has given a representation dated 09.12.2016 to the authorities and thereafter filed the present Writ Petition with the above prayer.

2. Heard the learned counsel for the petitioner, the learned Additional Government Pleader for the respondents 1 to 5 and the learned counsel for the 6th respondent.

3. The learned counsel for the petitioner reiterated the submissions made in the affidavit.

4. Per contra, the learned counsel for the 6th respondent submitted that the petitioner was working as Village Menial (Thalayari) and was in custody of the Village land records. He used his position to issue pattas to himself, his wife and his minor son in respect of lands belonging to the local Temple as well as the lands in water bodies. When this was questioned by the villagers, he has setup a boge that untouchability is being practiced by members of the Upper Caste.

5. The learned Additional Government Pleader submitted that pursuant to the representation given by the petitioner, the Tahsildar conducted a peace committee meeting on 27.03.2017, in which, the petitioner and the 6th respondent participated. In the peace committee meeting, it is brought to the notice of the Tahsildar that the villagers are not practicing any untouchability on the petitioner, but, they have demanded the petitioner to return the lands that were illegally usurped by him by distorting the village records. In the peace committee meeting, both the parties have agreed to settle their disputes with regard to the land through the civil Court. It is also represented by the learned counsel for of the 6th respondent that the 6th respondent has filed WP(MD) No.5322/2017 against the petitioner for reclaiming the lands, for which, the petitioner illegally issued pattas.

6. In view of the above, this Writ Petition is closed with liberty to the parties to work out their remedies in the manner known to law. No costs.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar



To

1. The District Collector,
Pudukkottai District.
2. The District Revenue Officer,
Pudukkottai District.
3. The Superintendent of Police,
Pudukkottai District.
4. The Deputy Superintendent of Police,
Ponnamaravathi,
Pudukkottai District.
5. The Inspector of Police,
Ponnamaravathi Police Station,
Pudukkottai District.

+1cc to SPECIAL GOVERNMENT PLEADER in SR. No.19364
+1cc to M/s. R.SIVALINGAM Advocate in SR. No.18988
+1cc to M/s. BABU RAJENDRAN Advocate in SR. No.18987
GK/RR
JS/MR/17.04.2017/3P-9C

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