



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.06.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.65 of 2018

and

W.M.P (MD) No.55 of 2018

M.Gurusamy

... Petitioner

vs.

1. The District Collector
Virudhunagar District
Virudhunagar

2. The Tahsildhar
Srivillipudur Taluk
Virudhunagar District
Virudhunagar

3. Inspector of Police
Nathampatti Police Station
Virudhunagar District

4.Rajagopal

5.Ganesan

6.Pandi

7.Ramamoorthy

8.Ganesh Pandi

9.Venkatachalam

10.M.Chellaiah

11.V.Ayyanar

12.G.Muthupandi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 3 to take action against the respondents 4 to 12 village persons who were passed order of ex communication against



petitioner's family at Kattiyathevanpatti Village, Moovarai Ventran Village Panchayat, Virudhunagar District based on his representations dated 16.12.2017, 18.12.2017.

For Petitioner : Mr.C.Sakthivel

For Respondents 1 to 3 : Mr.N.Shanmugaselvam
Additional Government Pleader

For Respondents 4 to 12 : Mr.A.Jayaramachandran

O R D E R

It is the grievance of the petitioner that his representations dated 16.12.2017 and 18.12.2017 seeking to direct the respondents 1 to 3 to take action against the respondents 4 to 12 / village persons, who had excommunicated him, have not been considered by the respondents 1 to 3 till date and therefore, he has filed the present writ petition.

2. This Court has not expressed any of its view with regard to the merits of the representations made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the official respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's representations within a stipulated time.

3. In view of the limited prayer sought for in this writ petition, there shall be a direction to the second respondent to consider the petitioner's representations dated 16.12.2017 and 18.12.2017 on its own merits and take further action in accordance with law, within a period of three months from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner as well as to the respondents 4 to 12 and any other persons, who may be interested in the subject matter.

4. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(P&A)

/True Copy/



To:

1. The District Collector,
Virudhunagar District,
Virudhunagar.
2. The Tahsildhar,
Srivillipudur Taluk,
Virudhunagar District,
Virudhunagar.
3. The Inspector of Police,
Nathampatti Police Station,
Virudhunagar District.

+ 1 cc TO M/S.N.Shanthi Priya , Advocate in SR No. 67562

krk

AE/SV MMS/SAR4/20.06.2018/3P/5C

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