



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.08.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

WP (MD) No.19029 of 2018
and
WMP (MD) No.16865 of 2018

Muthusivakumar

... Petitioner

Vs.

1. The District Collector,
Thanjavur District,
Thanjavur.
2. The Superintendent of Police,
Thanjavur District,
Thanjavur.
3. The Tahsildar,
Orathanadu Taluk,
Thanjavur District.
4. The Inspector of Police,
Orathanadu Police Station,
Thanjavur District.
5. D.S.Rajendran
6. Kumar
7. Thambikannu

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 to 4 to take appropriate stringent action against the respondents 5 to 7 for excommunicating the petitioner's family by considering his complaint dated 28.08.2018.

For Petitioner : Mr.M.Ramu
For Respondents : Mr.S.Dhyalan,
1 to 4 Government Advocate

ORDER

This writ petition has been filed for a direction to the respondent Police to take action against the respondents 5 to 7 for excommunicating the petitioner's family.



2.The learned Counsel for the petitioner would submit that there are about one thousand families, who are residing in his village. The respondents 5 and 6 have conducted Kangaroo Court and excommunicated the petitioner and his family. Further, the temple festival for Sri Muthumariamman and Paaiyadi Ayyanar Kovil is arranged, for which every family has to pay Thalaikattu Vari. When the petitioner attempted to make such payment, the same was refused to be received. Therefore, the petitioner preferred a complaint to the official respondents.

3.The learned Counsel for the petitioner would further submit that the said act by the 5th and 6th respondents is illegal and the official respondents cannot permit them to keep the petitioner and his family away from the village.

4.The learned Government Advocate would submit that based on the representation made by the petitioner, the parties were called by the 4th respondent and enquiry was conducted. In the said enquiry, it was decided that Thalaikattu Vari will be received from the petitioner also and the petitioner will also be permitted to participate in the festival.

5.The festival is stated to be held on 06.09.2018 as per the agreement reached between the parties the Thalaikattu Vari will be received from the petitioner by the 7th respondent and the petitioner and his family will be permitted to participate in the festival to be conducted on 06.09.2018. The 4th respondent shall ensure that this direction is carried out in letter and spirit. The petitioner and his family are permitted to make payment and also participate in the festival.

6.This writ petition is disposed of with the above directions. Consequently, WMP(MD)No.16865 of 2018 is closed. There shall be no orders as to costs.

Sd/-
Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The District Collector,
Thanjavur District,
Thanjavur.



2. The Superintendent of Police,
Thanjavur District,
Thanjavur.

3. The Tahsildar,
Orathanadu Taluk,
Thanjavur District.

4. The Inspector of Police,
Orathanadu Police Station,
Thanjavur District.

+ 1 CC TO Mr.M.RAMU, ADVOCATE IN SR No. 81604

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 81761

DSK

TE/RP/SAR-1 : 03/09/2018 : 3P/7C

W.P. (MD) .No.19029 of 2018
31.08.2018