



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

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W.P. (MD) No.10598 of 2019

and

W.M.P. (MD) No.8127 of 2019

S.John Britto

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by its Secretary,
Home Department,
Fort.St.George, Chennai.
2. The District Collector,
Sivaganga District, Sivaganga.
3. The Revenue Divisional Officer,
Kalaiyarkovil Taluk,
Sivagangai District.
4. The Tahsildar,
Taluk Office,
Sivagangai.
5. David Kulanthainathan
6. The Inspector of Police,
Kalaiyarkovil Police Station,
Sivagangai District.

... Respondents

(R6 is suo moto impleaded vide
court order dated 29.04.2019 in
WP(MD)No.10598 of 2019)

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents 1 to 4 to ensure the equal participation of the petitioner and other Dalit Christians of Soosaiyapparapattinam in the annual church festival of ST.Soosaiyappar Church and to prevent any practice of untouchability being practised against the petitioner and other Dalit Christians of the Village by considering the representation of the petitioner dated 22.04.2019 within the time that may be stipulated by this Court.



For R1 to R4 : Mr.K.Mu.Muthu
Additional Government Pleader
For R6 : Mr.M.Murugan,
Government Advocate

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ORDER

Heard the learned counsel for the petitioner, the learned Additional Government Pleader for the respondents 1 to 4. Mr.M.Murugan, the learned Government Advocate takes notice for the newly impleaded sixth respondent.

2.Though notice was sent to the fifth respondent, there was no appearance on his behalf. When the matter was taken up for hearing, Shri.Rex, the Sub Inspector of Police, Kalaiyarkovil Police Station who was present in person informed the court that a statement has been taken from the fifth respondent parish priest that Dalit Christians of Soosaiyapparpattinam will not be prevented from participating in the petition mentioned church festival. It has further been categorically affirmed that there is no practice of untouchability in the village.

3.Recording the said statement, this Court directs the Revenue Department namely, the respondents 3 and 4 herein as well as the jurisdictional police namely, the sixth respondent to ensure that there is no prevention of participation of the writ petitioner and other Dalit Christians in the petition mentioned festival. This writ petition is allowed on these terms. No costs. Consequently, connected miscellaneous petition is closed.

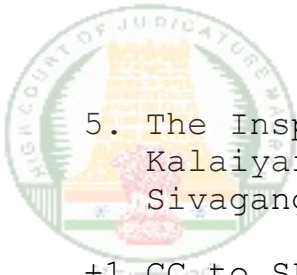
sd/
Assistant Registrar

/True Copy/

Sub Assistant Registrar(CS)

To

1. The Secretary to Govt. Of Tamilnadu,
Home Department,
Fort.St.George, Chennai.
2. The District Collector,
Sivaganga District, Sivaganga.
3. The Revenue Divisional Officer,
Kalaiyarkovil Taluk,
Sivagangai District.
4. The Tahsildar,
<https://hcservices.ecourts.gov.in/hcservices/>
Taluk Office, Sivagangai.



5. The Inspector of Police,
Kalaiyarkovil Police Station,
Sivagangai District.

+1 CC to SPL GP (SR-65243[F] dated 03/05/2019)

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and
W.M.P. (MD) No.8127 of 2019
30.04.2019

skm

MK (19.06.2019) 3P 7C