



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.09.2019

CORAM :

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.(MD)No.17827 of 2019

and

WMP.(MD)No.14291 of 2019

WEB COPY

Saritha

... Petitioner

Vs.

1. The District Collector,
Trichy District,
Trichy.

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

3. The Tahsildar,
Thottiyam,
Trichy District.

4. The Deputy Superintendent of Police,
Musiri,
Trichy.

5. The Inspector of Police,
Thottiyam Police Station,
Trichy District.

6.Ramasamy

7.Periyasamy

8.Thangarasu

9.Muthusamy

10.Manickavasu

11.Natarajan

... Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the first respondent to take action against the respondents 6 to 11 for their illegal act of excommunicating the petitioner and her family members from the village, by considering the petitioner's representation dated 29.07.2019.

For Petitioner : Mr.T.Leninkumar

For R1 to R5 : Mr.R.Anandharaj

Additional Public Prosecutor

For R6 to R11 : Mr.K.Arunraj



O R D E R

This petition has been filed to direct the first respondent to take action against the respondents 6 to 11 for their illegal act of excommunicating the petitioner and her family members from the village, by considering the petitioner's representation dated 29.07.2019.

2. The learned counsel for the petitioner submitted that the petitioner got married one Rajasekar, who belongs to community of the respondents 6 to 11. He is also close relative of the above said respondents. The petitioner, who belongs to SC/ST community. Now, the respondents 6 to 11 prevented the entire family of the petitioner to entered into the Kallupatti village, Nagayanallur Post, Thottiam Taluk, Trichy District, and also refused to receive tax from her husband to participate in the festival at "Sri Sathayee Amman" temple. He further submitted that they did not allow the petitioner and her family members to worship the god and participate in the temple festival of "Sri Sathayee Amman". Therefore, she gave a representation to the second respondent. Even after the receipt of the representation, the second respondent did not take appropriate action against the respondents 6 to 11 herein. Hence, she filed a present writ petition.

3. The learned counsel appearing for the respondents 6 to 11 submitted that the respondents 6 to 11 never objected in allowing the petitioner or her family members to participate in the festival of "Sri Sathayee Amman" temple situated at Kallupatti village, Nagayanallur Post, Thottiam Taluk, Trichy District. He further submitted that the temple is a private temple. Particularly, it was made by other community and situated in the patta land. Even then, the respondents 6 to 11 never objected the petitioner and her family members to enter into the temple as well as enter into the village. Since, the temple belongs to a particular family, they could not collected any tax from other community people.

4. The learned Additional Public Prosecutor submitted that according to the petitioner and her family members, they were not allowed to worship in the temple belongs to the respondent 6 to 11. On enquiry, it reveals that the temple belongs to the particular community and it is situated in the patta land. Even then, they are never objected the petitioner and her family members to worship god in the "Sri Sathayee Amman" temple.

5. Considering the facts and circumstances, the respondents 6 to 11 are directed to permit the petitioner and her family members to worship god in "Sri Sathayee Amman" temple and sofar as the collection of tax for the festival of said temple is concerned, it is up to the respondents 6 to 11, Whether they are interested to collect a tax or not.



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

WEB COPY

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The District Collector,
Trichy District,
Trichy.
2. The Superintendent of Police,
Trichy District,
Trichy.
3. The Tahsildar,
Thottiyam,
Trichy District.
4. The Deputy Superintendent of Police,
Musiri,
Trichy.
5. The Inspector of Police,
Thottiyam Police Station,
Trichy District.

Copy to

The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.T.LENIN KUMAR, Advocate (SR-88251[F] dated 20/09/2019)

+1 CC to Mr.K.ARUNRAJ, Advocate (SR-88305[F] dated 20/09/2019)

dss

VB 15/10/2019 3P 9C

W.P. (MD)No.17827 of 2019

and

WMP. (MD)No.14291 of 2019

20.09.2019