



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE **V.BHARATHIDASAN**

W.P. (MD) No.10798 of 2016

R.Velsamy

... Petitioner

Vs.

1.The District Collector,
Theni, Theni District.

2.The Deputy Inspector of Police,
Dindigul Range, Dindigul District.

3.The Superintendent of Police,
Theni, Theni District.

4.The Inspector of Police,
Rajdhani Police Station,
Andipatty Taluk,
Theni District.

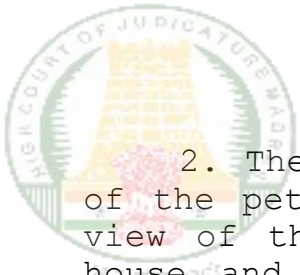
...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondents 1 to 4 to take appropriate action against the excommunication of the petitioner and to provide necessary protection to civil rights to the petitioner in accordance with law.

For Petitioner	:	Mr.J.Sulthan Basha for M/s Ajmal Associates
For R1 to R4	:	Mr.K.K.Ramakrishnan Additional Public Prosecutor

ORDER

This petition has been filed seeking direction to the respondents 1 to 4 to consider the representation of the petitioner dated 02.05.2016 to recall the excommunication of the petitioner and his family .



2. The grievance of the petitioner is that one of the brothers of the petitioner is said to have involved in a murder case. In view of the same, all the villagers has damaged the petitioner's house and also excommunicated and driven the petitioner and his family out of the village. In the said circumstances, the petitioner made a complaint before the respondents 1 to 4. Since no action has been taken on the same, the petitioner has filed the present petition.

3. Today, when the matter is taken up for hearing, the learned Additional Public Prosecutor appearing for the respondents, on instructions, submitted that on the complaint given by the petitioner enquiry has been conducted by the fourth respondent. During enquiry, all the villagers have given a statement that they have not excommunicated the petitioner. After the alleged occurrence, the petitioner only left the village and is living in some other place and there is no excommunication as alleged by the petitioner. Recording the same, the complaint lodged by the petitioner was closed. Copy of the closure report is also produced before this Court.

4. Considering the statement given by the villagers that there is no excommunication, and the petitioner's complaint has been enquired into and closed, the prayer as such sought for by the petitioner need not be adjudicated at this time. Hence, this writ petition is closed. However, if at all any further threat is made to the petitioner in future, he is at liberty to approach the concerned police seeking appropriate remedy. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The District Collector, Theni, Theni District.
- 2.The Deputy Inspector of Police,Dindigul Range, Dindigul District.
- 3.The Superintendent of Police, Theni, Theni District.
- 4.The Inspector of Police, Rajdhani Police Station,Andipatty Taluk, Theni District.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-78111[F]

dated 29/07/2019)

W.P. (MD) No.10798 of 2016

26.07.2019