



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.08.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **R.PONGIAPPAN**

W.P. (MD)No.8855 of 2020

C.Thavaselvan

... Petitioner

Vs.

- 1.The District Collector
Pudukkottai District,
Pudukkottai.
- 2.The Superintendent of Police
Pudukkottai District.
- 3.The Revenue Divisional Officer,
Aranthangi Division,
Pudukkottai District,
- 4.The Tahsildar
Avudaiyarkovil Taluk,
Avudaiyar Kovil,
Pudukkottai District,
- 5.The Inspector of Police
Yembal Police Station,
Yembal, Pudukkottai District.

6.P.Subramani

...Respondents

PRAYER : This Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, directing the respondents to take necessary action against the villagers who excommunicated the petitioner and his family from their village and ensure the uninterrupted participation of the petitioner and his family in the temple festival and other functions in the village based on the representation dated 11.6.2020.

For Petitioner : Mr.S.P.Vijayanivas

For Respondents : Mr.S.Chandrasekar,
Additional Public Prosecutor

O R D E R

This writ petition has been filed for the issuance of writ of Mandamus, directing the respondents to take necessary action against the villagers who excommunicated the petitioner and his family from their village and ensure the uninterrupted participation of the petitioner and his family in the temple festival and other functions in the village based on the representation, dated 11.6.2020.



2.The learned counsel for the petitioner would submit that the sixth respondent in this writ petition is the Village Headman. The temple function and other activities are conducted in the Village only under the head of the sixth respondent. In earlier, from the year 2015 onwards, without any reason during the time of temple festival the Villagers refused to receive donation from the petitioner, when the same was questioned by the petitioner, the sixth respondent and others are excommunicated the petitioner and not permitted to enter into the festival activities. Therefore, appropriate direction is necessary to set aside the excommunication order passed by the Villagers.

3.The learned Additional Public Prosecutor appearing for the respondents 1 to 5 would submit that the petitioner herein submitted a representation, dated 11.06.2020, before the first respondent. Subsequently, the first respondent herein on 22.06.2020, forwarded the said complaint given by the petitioner to the fifth respondent with a direction to initiate enquiry. Upon receipt of the complaint given by the petitioner, the fifth respondent herein initiated an enquiry in C.No.C/4/N reference/4HBS/2020. He would further submit that during the time of enquiry, the sixth respondent herein appeared before the fifth respondent and gave an undertaking that there was no excommunication order was passed as against the petitioner. Further, it was admitted by the sixth respondent that there was no temple festival is conducted in the Village as alleged by the petitioner. Hence, in view of the same, the fifth respondent herein closed the enquiry, as no further action is necessary for the complaint given by the petitioner.

4.Now it is made clear as per the submission made by the learned Additional Public Prosecutor, as of now no excommunication order is pending against the petitioner. Hence, recording the submission made by the learned Additional Public Prosecutor, this Writ Petition stands dismissed. No costs.

Sd/-

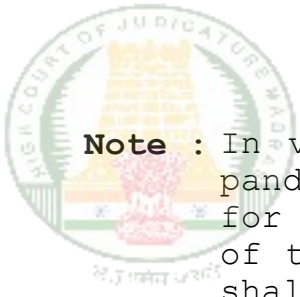
Assistant Registrar (ADII)

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Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate / litigant concerned.

To:

- 1.The District Collector
Pudukkottai District,
Pudukkottai.
- 2.The Superintendent of Police
Pudukkottai District.
- 3.The Revenue Divisional Officer,
Aranthangi Division,
Pudukkottai District,
- 4.The Tahsildar
Avudaiyarkovil Taluk,
Avudaiyar Kovil,
Pudukkottai District,
- 5.The Inspector of Police
Yembal Police Station,
Yembal, Pudukkottai District.
- 6.The additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

W.P. (MD)No.8855 of 2020
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KB(20.08.2020) 3P 7C