



WEB COPY

WP(MD)No.15545of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.11.2020

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P (MD)No.15545of 2020

S.Subramanian

... Petitioner

Vs.

- 1.The District Collector
Sivagangai District.
- 2.The Superintendent of Police
Sivagangai District.
- 3.The Revenue Divisional Officer,
Devakottai,
Sivagangai District.
- 4.The Tahsildar, Karaikudi Taluk,
Sivagangai District.
- 5.The Block Development Officer
Kallal Union, Karaikudi,
Sivagangai District.
- 6.The Sub Inspector of Police
Kallal Police Station,
Sivagangai District.
- 7.The Panchayat President
Visalayankottai Village Panchayat,
Kallal Union, Karaikudi Taluk,
Sivagangai District.
- 8.S.Savarimuthu
- 9.S.Arulraj
- 10.M.Devasahayam @ Adaikalam
- 11.U.Arul Paulraj
- 12.J.John Peter

... Respondents



PRAYER : Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents 1 to 7 herein to conduct an inquiry against the respondents 8 to 12 herein for ex-communicating the petitioner, his children and his family members as per representation, dated 16.10.2020.

For Petitioner : Mr.V.S.Kumaraguru

For Respondents 1 to 4 & 6 : Mr.R.Srinivasan,
Government Advocate

ORDER

The writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents 1 to 7 herein to conduct an inquiry against the respondents 8 to 12 herein for ex-communicating the petitioner, his children and his family members as per representation, dated 16.10.2020.

2.The petitioner submits that he is residing in the seventh respondent Village Panchayat. Survey No.573/1 measuring 207 sq. ft. is a Government Poramboke land and it is classified as such in the revenue records. He further submit that 25 years ago the Government had put up residential quarters for Government School Teachers, now it is damaged. Taking advantage of the same, the respondents 8 to 12 belonging to Christian Udayar Community in the village tried to encroach into the said land by putting up compound wall for religious institution and thereby inviting wrath from Hindus and various other communities. Hence, the petitioner gave a complaint before the fifth respondent. After enquiry, the fifth respondent sent a communication to the eighth respondent in Na.Ka.No.B3/1531/2017 dated 06.10.2020, directed him to initiate necessary action for removal of encroachment.

3. He would further submit that in the light of the complaint and inspection report, the respondents 9 to 13 got irked, spreading in the village with ill-conceived notion excommunicate the petitioner in the Village. The petitioner made a complaint to the sixth respondent on 16.10.2020 and CSR receipt has been issued on 17.10.2020. Again, he made a representation to the respondents 1 and 2 on 16.10.2020 against the respondents 8 to 12 for ex-communicating the petitioner and his family members in the village. As there is no response, this writ petition has been filed.



4.The learned Government Advocate appearing for the respondents 1 to 4 and 6 would submit that the representation of the petitioner, dated 16.10.2020 will be considered by the respondent police within a period of two weeks.

5.Considering the submissions made on either side, the respondents 1 to 4 and 6 are directed to dispose of the representation of the petitioner, dated 16.10.2020, within a period of two weeks from the date of receipt of a copy of this order on merits and in accordance with law and communicate the same to the petitioner.

6.With this direction, this writ petition is disposed of.
No costs.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2020

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
Sivagangai District.
- 2.The Superintendent of Police
Sivagangai District.
- 3.The Revenue Divisional Officer,
Devakottai,
Sivagangai District.



4.The Tahsildar
Karaikudi Taluk,
Sivagangai District.

5.The Sub Inspector of Police
Kallal Police Station,
Sivagangai District.

+1 CC to M/s.V.S.KUMARAGURU, Advocate (SR-21535[F] dated 09/11/2020

W.P (MD)No.15545 of 2020

DATED : 06.11.2020

SJ(CO)

TR(26.11.2020) 4P 7C