



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.11.2020

CORAM:

THE HONOURABLE MRS. JUSTICE J.NISHA BANU

W.P. (MD) No.15753 of 2020

R.Shanthi

: Petitioner

Vs.

- 1.The District Collector,
Karur District, Karur.
- 2.The Revenue Divisional Officer,
Karur Division, Karur.
- 3.The Superintendent of Police,
Karur District, Karur.
- 4.The Deputy Superintendent of Police,
Karur Division, Karur District.
- 5.The Inspector of Police (Circle),
Pasupathipalayam Police Station,
Karur District.
- 6.The Sub Inspector of Police,
Velliyanai Police Station,
Karur District.
- 7.Babu
- 8.Lakshmi
- 9.Suresh
- 10.Chandra
- 11.Lakshmi
- 12.Sivakumar
- 13.Subramani
- 14.Rajamani
- 15.David
- 16.Anbu

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents 1 to 6 to initiate appropriate action against the respondents 7 to 16 for ex-communicate the petitioner and her family members based upon the representation dated 17.10.2020.

For Petitioner : Mr.S.Gokulraj

For R1 to R6 : Mr.R.Srinivasan,
Government Advocate



O R D E R

This Writ Petition has been filed to direct the respondents 1 to 6 to initiate appropriate action against the respondents 7 to 16 for ex-communicate the petitioner and her family members based upon the representation dated 17.10.2020.

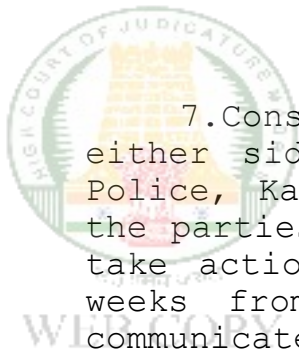
2.The learned counsel appearing for the petitioner submitted that the petitioner is residing in the petition mentioned address along with her family members and working as mason. The respondents 7 to 16 are residing in the same village. The petitioner has constructed a building in the land allotted by the Government under the Backward Class Welfare Scheme. The respondents 7 to 16 indulged in occupying the land allotted by the Backward Class Welfare Department to the people, who are under the below poverty line. According to the petitioner, the petitioner's son, namely, Gunasekaran is a social activist, he had given a representation against the private respondents through his organization, namely, "Ambedkar Makkaliyakam" to the competent authorities for taking necessary action and the same is pending.

3.The grievance of the petitioner is that due to the above enmity, the respondents 7 to 16 ex-communicate the petitioner and her family members and they are also threatening the villagers not to speak with the petitioner's family members and also insisted them not to give any coolie work to the petitioner's family members. The specific allegation is that on 17.10.2020 at about, the petitioner went to coolie work to the building belongs to one Manju, wherein the respondents 7 to 16 came to that place and tried to attack her with lethal weapons and also abused her with un-parliamentary words. Based on which, the petitioner on the same day (i.e.,17.10.2020) had lodged a complaint before the respondents 1 to 6 through registered post. But, the respondent police has not initiated any action against the private respondents.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that based on the complaint given by the petitioner, the petitioner was called for enquiry, but the petitioner had not co-operated with the enquiry.

5.In reply, the learned counsel for the petitioner specifically states that the petitioner has not received any summon for attending enquiry, and she is prepared to co-operate with the enquiry.

6.The learned Government Advocate (Criminal Side), on instructions, submitted that the fifth respondent police directly went to the house of the petitioner and intimated the petitioner to attend the enquiry. Since the representation has been given to the first respondent and the same has been forwarded to the fourth respondent and the fourth respondent called the petitioner for



7.Considering the submission made by the learned counsel on either side, the fourth respondent/The Deputy Superintendent of Police, Karur District, Karur is directed to issue summons to all the parties, fixing a date for enquiry, enquire into the matter and take action in the manner known to law, within a period of four weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

8. This Writ Petition is disposed of with the above directions. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CS-II)

// 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,
Karur District, Karur.
- 2.The Superintendent of Police,
Karur District, Karur.
- 3.The Revenue Divisional Officer,
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- 4.The Deputy Superintendent of Police,
Karur Division, Karur District.
- 5.The Inspector of Police (Circle),
Pasupathipalayam Police Station, Karur District.
- 6.The Sub Inspector of Police,
Velliyanai Police Station, Karur District.
- 7.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.GOKULRAJ, Advocate (SR-21711[F] dated 10/11/2020)

W.P. (MD) No.15753 of 2020

10.11.2020

CK(CO)

<https://hcservices.courts.gov.in/cases/P 9C>