



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.12.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P (MD)No.14557 of 2020

A.Muruganandham

... Petitioner

Vs

1.The Superintendent of Police
Sivagangai District,
Sivagangai.

2.The Inspector of Police,
Natchiyarpuram Police Station,
Sivagangai District.

3.S.Mohandoss

4.A.Selvaraj

5.A.Azhagappan

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the respondent Nos.1 & 2 to provide police protection to the petitioner and his family members and to take appropriate action against the respondent Nos.3 to 5 for ex-communicating the petitioner and his family members from their village, on the basis of the petitioner's representation dated 27.10.2020.

For Petitioner : Mr.T.Veerakumar

For R1 & R2 : Mr.V.Neelakandan,

Additional Public Prosecutor(Crl.Side)

O R D E R

This Criminal Original Petition has been filed to direct the respondent Nos.1 & 2 to provide police protection to the petitioner and his family members and to take appropriate action against the respondent Nos.3 to 5 for ex-communicating the petitioner and his family members from their village, on the basis of the petitioner's representation dated 27.10.2020.

2.The learned counsel appearing for the petitioner would submit the petitioner belongs to Scheduled Community and he married one Revathy, who was a divorcee and they are leading a peaceful life. While so, the respondent Nos. 3 to 5 conducted Kattapanchayat and ordered that the petitioner should not participate in their village temple festivals and also prevented the village people to provide even drinking water to the petitioner's family. According to the petitioner, he and his family members were put under excommunication. The petitioner and his family members are very much affected due to the practice of excommunication at the instance of the respondent Nos. 3 to 5. Therefore, the petitioner has sent his representation to the respondent police on 27.10.2020. Since no



action has been taken by the respondent police, the petitioner is before this Court, with this present Criminal Original Petition.

3.The learned Additional Public Prosecutor(Crl.side) appearing on behalf of the respondents 1 & 2, on instructions, would submit that the petitioner's representation has been received and the enquiry is pending.

4.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 & 2. Since no adverse order is going to be passed, notice to the 3 to 5 respondents is dispensed with.

5.Recording the above submission made by the learned Additional Public Prosecutor(Crl.side), without going into the merits of the case, the respondents 1 & 2 are directed to consider and pass orders on the petitioner's representation dated 27.10.2020 after giving opportunity to the other side, by following the principles laid down by the Hon'ble Apex Court in ***D.K.Basu Vs. State of West Bengal reported in AIR (1997) SC 610*** and take appropriate action in the manner known to law, within a period of four weeks from the date of receipt of a copy of this order.

6.With the above directions, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vrn

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 Superintendent of Police
Sivagangai District, Sivagangai.
- 2.The Inspector of Police,
Natchiyarpuram Police Station, Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P(MD)No.14557 of 2020
11.12.2020

PU(CO)

KB(07.01.2021) 2P 4C

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