



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.03.2020

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P. (M)No.12098 of 2016

R.Rajendran

... Petitioner

Vs.

1.The District Collector,  
Sivagangai District,  
Sivagangai.

2.The Sub Collector,  
Ramnagar, Devakottai,  
Sivagangai District.

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

4.The Deputy Superintendent of Police,  
Ramnagar, Devakottai,  
Sivagangai District.

5.The Thasildhar,  
Ramnagar, Devakottai,  
Sivagangai District.

6.The Inspector of Police,  
Taluk Police Station,  
Ram Nagar, Devakottai,  
Sivagangai District.

... Respondents

**PRAYER:** Writ petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents to take necessary action by considering the petitioner's representation dated 13.06.2016 and 06.07.2016 respectively within stipulated time fixed by this Court.

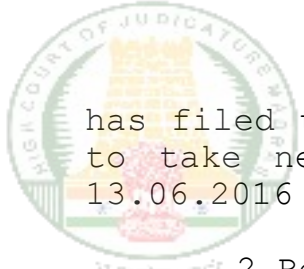
For Petitioner : Mr.S.M.Sanjay

For Respondents : Mr.K.Suyambulinga Bharathi,  
Government Advocate(Crl.side)

**ORDER**

<https://hcservices.ecourts.gov.in/hcservices/>

The petitioner herein aggrieved by the action taken by the village committed preventing him in participating temple festival,



has filed this writ petition seeking a direction to the respondents to take necessary action by considering his representation dated 13.06.2016 and 06.07.2016 respectively.

2. Reading of these two representation reveals that pursuant to the civil suit pending between the petitioner and one Karuppaiah group, the village committee has imposed fine of Rs.45,000/-, failing which the petitioner will be ex-communicated. Accordingly, the petitioner was ex-communicated by the villagers during the month of June 2017 for non payment of fine amount. Thereafter, five others were ex-communicated from the village, who supported the petitioner. In the said circumstances, when Sivarathiri festival was proposed to be conducted in the village temple, the petitioner and five others were prevented from participating in the festival. Therefore, he has sought for intervention of the respondents herein and take action against the villagers.

3. The learned Government Advocate (Crl. side) appearing for the respondents would submit that based on the representation given by the petitioner, an enquiry was conducted and both groups were called, in which the petitioner did not participated. The villagers informed that they have no objection for the participation of the petitioner in the village function and they have not ex-communicated him. Based on the information given by the villagers and recording their statement, the representation of the petitioner has been closed.

4. The petitioner herein having given representation to the second respondent, had not participated in the enquiry conducted by the second respondent. In the said circumstances, when the authority has considered the representation and villagers have given undertaking that they will not ex-communicate any one including petitioner from the village, this Court finds nothing survives in this petition.

5. When the petitioner is not participated in the enquiry conducted by the respondents, he have no locus to accuse the respondents. In any event, the villagers given undertaking that they will not ex-communicate any one from the village. If there is any adverse incident, the respondent police is directed to take appropriate action. Accordingly, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2020  
Sub Assistant Registrar (CS)



To

1.The District Collector,  
Sivagangai District,  
Sivagangai.

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Taluk Police Station,  
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Sivagangai District.

+1 CC to M/s.S.M.SANJAY, Advocate ( SR-11545[F] dated 13/03/2020 )

W.P. (M) No.12098 of 2016

Dated : 12.03.2020

SS/15.05.2020/3P-8C