



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.09.2021

CORAM

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P (MD) No.10088 of 2021

WEB COPY

Pitchaikannu

... Petitioner

Vs.

1.The District Collector,
District Collector Office,
Thanjavur District.

2.The Superintendent of Police,
Superintendent of Police Office,
Thanjavur District.

3.The Tahsildar,
Orathanadu Taluk,
Thanjavur District.

4.The Inspector of Police,
Pappanadu Police Station,
Thanjavur District.

5.Devendran

6.Ilangovan

7.Vaijeyanthi Mala

8.Magarajan

9.Devi

10.Pandian

11.Natarajan

12.Uthirapathi

13.Murugesan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the 1st and 2nd respondents to initiate appropriate action against the respondents 5 to 12 for ex-communicate the petitioner and his family members based on the representation of the petitioner dated 26.04.2021 within the time limit stipulated by this Court.

For Petitioner

: Mr.P.Edinbrough

For RR1 to R4

: Mr.R.M.Anbunithi

Additional Public Prosecutor
(Criminal Side)

For RR5 to 13

: Mr.C.Senthil Murugan



O R D E R

This petition has been filed to direct the 1st and 2nd respondents to initiate appropriate action against the respondents 5 to 12 for ex-communicate the petitioner and his family members based on the representation of the petitioner dated 26.04.2021 within the time limit stipulated by this Court.

2. On 10.08.2021, the matter was referred to the Mediation, since it is an ex-communication dispute. In the Mediation, it appears that the parties entered into agreement stating that there was no ex-communication. But, however, the issue is obstructing the pathway and snapping of the electric line. Hence, the Mediator has stated that since the issue has been extended, it could not be settled.

3. But, however, the learned counsel for the private respondents would submit that absolutely there was no ex-communication and the petitioner has occupied the Poramboke land illegally.

4. The learned counsel appearing for the petitioner would submit that even on the next day of Mediation, the private respondents tried to obstruct the pathway, for which, he has given a complaint.

5. Now, whatever it may be, during the course of Mediation, it was found that absolutely there was no ex-communication of the petitioner from the village. Hence, the petitioner is at liberty to work out his remedy through appropriate proceedings, in respect of other issues.

6. Since the prayer has become infructuous, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ssb

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.

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



To:

- 1.The District Collector,
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Thanjavur District.
- 3.The Tahsildar,
Orathanadu Taluk,
Thanjavur District.
- 4.The Inspector of Police,
Pappanadu Police Station,
Thanjavur District.

+1 CC to M/s.P.EDIN BROUGH, Advocate (SR-28896[F]
dated 13/09/2021)

W.P (MD) No.10088 of 2021
09.09.2021

GC(22.09.2021) 3P 6C