



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.09.2021**

CORAM

THE HONOURABLE MR.JUSTICE **G. ILANGO VAN**

W.P. (MD) No.13823 of 2021

WEB COPY

Thangarasu

... Petitioner

Vs

- 1.The District Collector
Ramanathapuram,
Ramanathapuram District.
- 2.The Superintendent of Police,
Ramanathapuram,
Ramanathapuram District.
- 3.The Revenue Divisional Officer,
Paramakudi,
Ramanathapuram District.
- 4.The Thasildar,
Paramakudi,
Ramanathapuram District.
- 5.The Surveyor,
Paramakudi,
Ramanathapuram District.
- 6.The Inspector of Police,
Nainarkovil Police Station,
Paramakudi,
Ramanathapuram District.
- 7.Nagaraaj
- 8.Pesal
- 9.Muthusamy
- 10.Lakshmanan
- 11.Moovendran
- 12.Selvakani
- 13.M.Kottalagu
- 14.Nagaraaj



15.Bose

16.Valatheeswaran

17.Kamalam

18.Arunpandian

19.Kaleeswari

20.Sudha

21.Palanivel

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to take action against the respondents 7 to 21 and allow the petitioner and his family members to use the common pathway and rejoin in the village based on the petitioner's representation dated 08.07.2021.

For Petitioner : Mr.M.Subash Babu
For R1 to R6 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

ORDER

This petition is filed seeking direction to the respondents 1 to 3 to take action against the private respondents herein, on the basis of the representation dated 08.07.2021.

2.The learned counsel appearing for the petitioner would submit that the petitioner has been excommunicated by the private respondents herein, based upon which, the complaint has been given. Since no action has been taken, this petition came to be filed.

3.The learned Additional Public Prosecutor appearing for the respondents 1 to 3 would submit that on the basis of the complaint given by this petitioner, enquiry was undertaken and during the course of enquiry, it was found that it is a private dispute between two groups and on that basis, it was closed. He would also submit that a recommendation was made by the 6th respondent herein to conduct the Peace Committee Meeting, since trouble is apprehended because of the putting of the shed in a common area. On that basis, this Court directed the 4th respondent herein to conduct the Peace Committee Meeting and resolve the dispute. For the purpose of intimating about the outcome of the enquiry, the matter has been directed to be listed today.



4. When the matter is taken up for hearing today, the learned Additional Public Prosecutor would submit that in pursuance of the aforesaid direction, a Peace Committee Meeting was conducted, in which, the petitioner has also participated and during the Peace Committee Meeting, a resolution was made.

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5. One of the resolutions is that the villagers have submitted that there is no excommunication of the petitioner from the village and they are ready to collect tax from him and invite him for participating the temple festivals. The petitioner is also agreed to the effect that the temple key must be handed over to the 'Poosari' and with regard to the access, no apprehension or prevention has been made. In respect of other matters, the 2nd Peace Committee Meeting shall be conducted in the 1st week of November, 2021 in the presence of the Panchayat President and others.

6. Even though the learned counsel appearing for the petitioner would submit that the petitioner has not participated in the Peace Committee Meeting, his signature is available in the copy of the Peace Committee Meeting resolution. Since the Peace Committee Meeting resolution has been accepted by this petitioner, he has to follow the same.

7. I find that nothing more is required to consider this petition. If any trouble arises in future, the petitioner is at liberty to workout his remedy before the appropriate forum through appropriate proceedings. However, he has to abide and follow the Peace Committee Meeting resolution that has been adopted.

8. With the aforesaid direction and observation, this petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS I)

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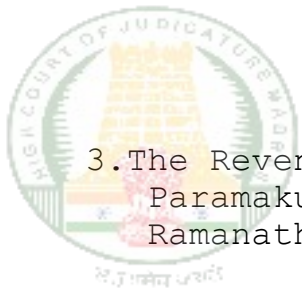
Sub Assistant Registrar (CS)

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To

1. The District Collector
Ramanathapuram,
Ramanathapuram District.

2. The Superintendent of Police,
Ramanathapuram,
Ramanathapuram District.



3.The Revenue Divisional Officer,
Paramakudi,
Ramanathapuram District.

4.The Thasildar,
Paramakudi,
Ramanathapuram District.

5.The Surveyor,
Paramakudi, Ramanathapuram District.

6.The Inspector of Police,
Nainarkovil Police Station,
Paramakudi,
Ramanathapuram District.

7.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.M.SUBASH BABU, Advocate (SR-30792[F] dated
30/09/2021)

W.P. (MD) No.13823 of 2021
28.09.2021

MGJ(08.10.2021) 4P 9C