



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.10.2021

CORAM

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P. (MD)No.18665 of 2021

Dheivendran

... Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Palani Revenue Division,
Palani, Dindigul District.

3.The Tahsildar,
Vedasandur Taluk Office,
Vedasandur, Dindigul District.

4.Nallathambi

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to enquire and conduct a peace meeting with regard to the lifting of the Ex-Communication order passed by the Villagers and the fourth respondent herein against my family based on the petitioner's representation dated 25.09.2021.

For Petitioner : Mr.N.Anandakumar
For Respondents : Mr.P.Subbaraj,
Counsel for the State for R1 to R3.

O R D E R

The petitioner seeks a direction to respondents 1 to 3 to conduct an inquiry and peace committee meeting with regard to the excommunication by the villagers of the petitioner and his family.

2. The petitioner states that he belongs to the Veduva Naicker community. On account of marrying outside the said community, it is stated that he was excommunicated by the inhabitants of the village. The petitioner states that he purchased a property admeasuring 2360 square feet on 10.02.2016. Pursuant to such purchase, patta was also issued to him under Patta No.2697. In order to construct a house with a toilet on his property, the petitioner states that preliminary work was undertaken. At such point, the fourth respondent obstructed the petitioner from proceeding with the



construction. The petitioner states that he has not received any support either from the official respondents or from the inhabitant of the village on account of his excommunication. The present writ petition is filed seeking an inquiry and peace committee meeting in the said facts and circumstances.

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3. Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of respondents 1 to 3. He submit that a civil suit is pending and that, therefore, any dispute with regard to title to the property should be resolved through the civil court. Without prejudice, he submits that the petitioner's representation may be directed to be considered and disposed of by the third respondent.

4. The petitioner has produced a copy of the sale deed and patta in support of title and interest over the relevant property. A copy of the plaint in O.S.No.70 of 2017 is also on record. The said suit appears to be pending. The suit is for partition and the "C" schedule property therein appears to relate to the same survey number as the property to which the petitioner claims title. Therefore, issues relating to title should be resolved through the civil court.

5. At the same time, it should be noted that the petitioner complains that he is being targeted on account of his intercaste marriage. To that extent, his representation may be considered and the third respondent may examine solutions in respect thereof.

6. Subject to the above observations, W.P(MD).No.18665 of 2021 is disposed of by directing the third respondent to consider the petitioner's representation dated 25.09.2021 and initiate appropriate action on such basis within a period of two months from the date of receipt of a copy of this order. Before taking a decision on the petitioner's representation, a reasonable opportunity should be provided to the petitioner and the fourth respondent herein. There will be no order as to costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

1.The District Collector,
Dindigul District,
Dindigul.



2.The Revenue Divisional Officer,
Revenue Divisional Office,
Palani Revenue Division,
Palani, Dindigul District.

3.The Tahsildar,
Vedasandur Taluk Office,
Vedasandur, Dindigul District.

+2 CC to M/s.N.ANANDAKUMAR, Advocate (SR-32430[F] dated 25/10/2021)

+1 CC to M/s.SPL.GP (SR-32360[F] dated 25/10/2021)

W.P.(MD)No.18665 of 2021

22.10.2021

NSN(CO)

GC/JC(02.11.2021) 3P 7C