



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.12.2021

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD).No.20120 of 2021

and

W.M.P(MD).No.16826 of 2021

WEB COPY

V.Chellapappu

... Petitioner

Vs.

1.The District Collector,
Trichy Collectorate,
Trichy District.

2.The District Revenue Officer,
Trichy Collectorate,
Trichy District.

3.The Superintendent of Police,
Trichy District.

4.The Tahsildar,
Manachanallur Taluk,
Trichy District.

5.The Inspector of Police,
Siruganoor Police Station,
Trichy District.

6.Kundu @ Ramasamy

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to take action on the representation of the petitioner dated 12.02.2021 and complete the enquiry consequent to the proceedings of the fourth respondent in O Mu AA1.888-2021 dated 16.02.2021.

For Petitioner : Mr.Suresh Kumar

For Mr.P.Anbazhagan

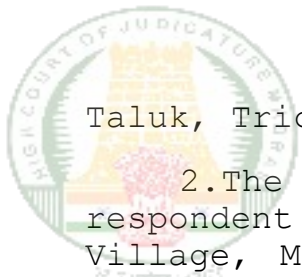
For R1 to R5 : Mr.D.Ghandiraj

Special Government Pleader

For R6 : Mr.T.Lajapathi Roy

ORDER

The Writ Petition has been filed in the nature of Mandamus, seeking a direction against the respondents, particularly, the first-fifth respondents on the representation given by the petitioner dated 12.02.2021 and complete the enquiry consequent to the proceedings of the fourth respondent/Tahsildar Manachanallur



Taluk, Trichy District in O Mu AA1.888-2021, dated 16.02.2021.

2.The petitioner V.Chellapappu wife of Vellaiyan and the sixth respondent Kundu @ Ramasamy both are residents of Yethumalai Village, Manachanallur Taluk, Trichy District. As members of the same village and probably belonging to the same community, it is fervently hoped by this Court that they would keep peace between themselves.

3.Even before examining the necessity for filing the present Writ Petition, let me extract paragraph No.5 of the affidavit of the sixth respondent filed before this Court. In the said paragraph, the sixth respondent had stated as follows.

"5.I submit that I am the Poosari of the said Temple. I never ex-communicated the petitioner's younger son from our community. The allegations leveled by the petitioner that her younger son was ex-communicated from our community is false. However, I hereby undertake that I will not indulge in any act of spoiling the self-dignity of the petitioner or her sons. We will work out our remedy of first respect, right over the Temple before the civil Court. Without prejudice to our right before the civil Court, I hereby undertake that I will not disturb the petitioner or her sons and also I will not indulge in any act of spoiling the self-dignity of the petitioner or her sons in future."

4.It is the grievance of the writ petitioner, that she had been subjected to insult and there were complaints against her younger son V.Jagadish, who had taken a decision to get married in accordance with his wish. It is stated that therefore, she was prevented from participating in any of the activities of the village or in the temple.

5.In view of the categorical statement made in the affidavit of the sixth respondent, I am confident that there would be no further incident arising between the petitioner and the sixth respondent or between the petitioner and any of the other villagers. I am equally confident that the respondents, particularly, the fourth and fifth respondents would also act in manner known to law, if at all a complaint is given to them or if at all any untoward incident is brought to their knowledge.

6.Let me not prevaricate the issue any further but, issue a direction to not only the petitioner but also to the sixth respondent that it would only be in the interest of all the villagers and also their own future generations that they maintain peace and harmony in the village.



7.No further directions are required with respect to the representation of the petitioner, since, I am also informed that necessary undertaking affidavits/letters had also been given by the petitioner and also by all others concerned.

8.Let there have been no further reason for grievance by any one of the parties to the Writ Petitions. This Writ Petition stands closed. No costs. Consequently, the connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

lr

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 District Collector,
Trichy Collectorate,Trichy District.

2.The District Revenue Officer,
Trichy Collectorate, Trichy District.

3.The Superintendent of Police,
Trichy District.

4.The Tahsildar,
Manachanallur Taluk, Trichy District.

5.The Inspector of Police,
Siruganoor Police Station,
Trichy District.

+1 CC to M/s.SPL GP (SR-38354[F] dated 13/12/2021)

+1 CC to M/s.P.ANBAZHAGAN, Advocate (SR-38544[F] dated 14/12/2021)

W.P(MD) .No.20120 of 2021
10.12.2021

RD(29.12.2021) 3P 8C