



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.02.2021

CORAM:

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THE HON'BLE MR JUSTICE G.ILANGOVAN

W.P. (MD) .No.22773 of 2017

and

WMP (MD) No.4743 of 2018

S.Swaminathan

... Petitioner/Petitioner

-Vs-

1.The District Collector,
Thanjavur District,
Thanjavur.

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

3.The Revenue Divisional Officer,
Kumbakonam,
Thanjavur District.

4.The Tahsildar,
Papanasam Taluk,
Thanjavur District.

5.The Inspector of Police,
Ammapettai Police Station,
Thanjavur District.

6.Somu Kittachier,
Head Panchayathadar.

7.Gopalsamy Kittachiyar

8.Senthil Kittachiyar

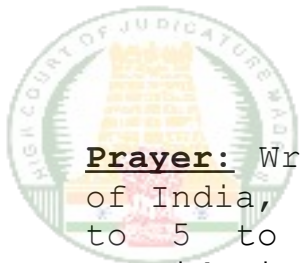
9.Rajendran Kittachiyar

10.Kanagarajan Kandapillai

11.Selvaraj Kandapillai

12.Muthiyavalagan Serumadar

... Respondents/Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 5 to take action against the respondents 6 to 12, by considering the petitioner's representation dated 01.11.2017.

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For Petitioner : Mr.K.Kumaravel

For R1 to R5 : Mr.M.Ganesan
Government Advocate (Crl.Side)

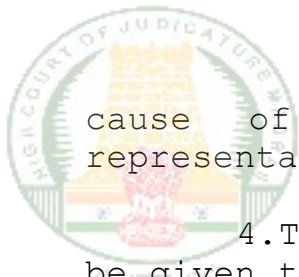
For R6 & R12 : Mr.S.Krishnan

ORDER

This petition has been filed for seeking a direction to direct the respondents 1 to 5, to take action against the respondents 6 to 12, by considering the petitioner's representation dated 01.11.2017.

2.The petitioner is residing in the address mentioned in the petition. He filed this writ petition on behalf of other people, who are living in that area. After retiring from his service, he settled at his own village and doing agriculture. The dispute arose between himself and one Kaliyamoorthy with regard to the irrigation of water for his field. The dispute was taken into the respondents 6 to 12, they directed the petitioner to appear before the Katta Panchayat, which was conducted by the 6th respondent and in that panchayat, they imposed fine Rs.300/- to the petitioner. At the instigation of the respondents 6 to 12, the neighbours of the petitioner, used to throw waste food items in front of the petitioner's house. It was questioned by the petitioner. On the date itself, the 6th respondent and his associates passed a resolution to impose fine Rs.300/- and they also threatened him. Further, regarding the dispute over the purchase of land of the petitioner's sister also, the respondent conducted Katta Panchayat. But, the sister of the petitioner and her legal heirs refused to attend the same. So, on the next day, the 10th respondent and his wife abused the petitioner in a filthy language. On the basis of the complaint given by the petitioner to the 5th respondent, the 5th respondent advised the respondents 6 to 12. In spite of, the activities of the respondents 6 to 12 continued. So, he made a representation to the respondents 1 to 5 on 01.11.2017 to take proper action. But, there was no action in this regard. So, this petition is filed by the petitioner.

3.When the matter was taken up for hearing, the learned Government Advocate (Crl.Side) would submit that the representation is of the year 2017 and subsequent that, no complaint has been received by the authorities and if any new



cause of action arises, the petitioner may give fresh representation and the authorities are ready to act upon the same.

4.This Court is of the considered view that the liberty may be given to the petitioner to make a fresh representation, if any, new cause of action arises. The authorities may take action in accordance with law.

5.So, with this observation and direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

dss

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,
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Thanjavur.
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- 3.The Revenue Divisional Officer,
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KM (15.03.2021) 4P 6C