



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE :04.04.2022

CORAM:

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THE HON'BLE MR JUSTICE G.ILANGO VAN

W.P. (MD)No.10157 of 2019

Polli Naicker @ Duraisamy

... Petitioner

Vs.

- 1.The District Collector,
Trichy District, Trichy.
- 2.The District Superintendent of Police,
Trichy District, Trichy.
- 3.The Revenue Divisional Officer,
Sri Rengam, Trichy District.
Trichy.
- 4.The Deputy Superintendent of Police,
Manapparai Taluk, Trichy District.
Trichy.
- 5.The Tahsildar,
Manapparai,
Manapparai Talum, Trichy District.
- 6.The Inspector of Police,
Manapparai Police Station,
Trichy District.
- 7.Mantha Naicker @ Gopal
- 8.Kittana Naicker
- 9.Toppa Naicker
- 10.Pitchaa Naicker
- 11.Pandi Naicker @ Palanichamy Naicker
- 12.Kali Naicker
- 13.Samooka Raj



14.Kamaraj @ Kodangi Naicker

15.Sakthivel

16.Krishnan

17.Loganathan

... Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 to 6 to take action against the respondents 7 to 17 for ex-communicating the petitioner and his family members.

For Petitioner : Mr.R.Murugappan

For R1 To R6 : Mr.B.Nambi Selvan
Additional Public Prosecutor

For R7 to R17 : No Appearance

O R D E R

This petition is filed seeking direction to direct the respondents 1 to 6 to take action against the respondents 7 to 17 for ex-communicating the petitioner and his family members.

2.Finding that it is a allegation of ex-communication, on previous hearing, the petitioner was directed to appear before the sixth respondent herein, who is the Inspector of Police, Manapparai Police Station, and co-operate with him to complete the enquiry process. In pursuance of the above said direction, the respondents 7,8,10 & 11 appeared before the sixth respondent and gave a statement that second marriage was restricted in their community. Even though, the petitioner herein had secondly married another woman 40 years ago, they did not make any trouble to the petitioner and they given an undertaking that they will not make any trouble to the petitioner.

3. The learned Additional Public Prosecutor would submit that on the basis of the above said statement, when the petitioner was visiting the village, no trouble was created by the respondents 7, 8,10 & 11.

4. Since there is no ex-communication, as alleged by the petitioner, I find no merits in this petition. The petitioner is at liberty to visit the village and participate in the village festival. The Sixth respondent may act if any complaint is received, in violating the above said undertaking by the private respondents. So, in the light of the above said development, nothing survives for further consideration or direction in this petition.



5. With the above said liberty, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS I)

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/ /2022
Sub Assistant Registrar(CS)

dss

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- 5.The Tahsildar,
Manapparai,
Manapparai Talum, Trichy District.
- 6.The Inspector of Police,
Manapparai Police Station,
Trichy District.

+1 CC to M/s.R. MURUGAPPAN, Advocate (SR-16972[F] dated
06/04/2022)

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MGJ(19.04.2022) 3P 8C