



W.P.No.12825 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 26.04.2023

CORAM

THE HON'BLE Mr. JUSTICE **G.CHANDRASEKHARAN**

W.P.No.12825 of 2023

M.M.Vijay Anand

...Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by its Secretary,
Public and Rehabilitation Department,
Fort St. George,
Chennai 600 009.

2. The District Collector,
Collectorate,
Udhagamandalam,
The Nilgiris District.

3. The District Superintendent of Police,
Udhagamandalam,
The Nilgiris District.

4. Kerben Village Grama Sabha Headed by its Headman,
K.B.Dharmalingam,
S/o.B.S.Bellie Gowder,
Kerben Village, Nihung Post,
Kotagiri, The Nilgiris 643217.

...Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India



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praying for the issuance of the Writ of Mandamus, directing the Respondents to consider the representation of the petitioner dated 13.03.2023 in accordance with law by resolving the dispute and pass prohibitory order restraining the Katta Panchayat in the Village, Kerban Village, Nihung Post, Kothagiri Taluk, Nilgiris District and restore Social orders to secure the ends of justice.

For Petitioner : Mr.R.Sankarasubbu
For Respondents
R1 to R3 : Mr.S.Santhosh
Government Advocate (Crl. Side)

ORDER

This Writ Petition has been filed for the issuance of Writ of Mandamus, directing the Respondents to consider the representation of the petitioner dated 13.03.2023 in accordance with law by resolving the dispute and pass prohibitory order restraining the Katta Panchayat in the Village, Kerban Village, Nihung Post, Kothagiri Taluk, Nilgiris District and restore Social orders to secure the ends of justice.

2. It is the submission of the learned counsel for the petitioner that at



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the behest of the fourth respondent and some others, 15 families have been ex-communicated. Villagers were directed not to have contact with these families, not to provide milk to them and nobody should have any kind of transactions with them. They also prevented procession of idols through the streets where these people are residing. In this regard, a representation dated 13.03.2023 was given by the petitioner to the first respondent for resolving the issue. So far, no action is taken. Therefore, this petition.

3. The learned Government Advocate (Crl.side) submits that the complaint has been received and the petition enquiry in C.S.R.No.7 of 2023 is pending.

4. In the light of the submissions of learned counsel appearing for the parties, if the allegations of ex-communication is true, that has to be condemned and eradicated. It is illegal. Therefore, the respondents 1 to 3 are directed to take appropriate action on the basis of the representation of the petitioner dated 13.03.2023, in the manner known to law, within a period of



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four weeks from the date of receipt of a copy of this order.

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

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Index:Yes/No

Speaking Order: Yes/No

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1. The Secretary,
The State of Tamil Nadu,
Public and Rehabilitation Department,
Fort St. George,
Chennai 600 009.
2. The District Collector,
Collectorate,
Udhagamandlam,
The Nilgiris District.
3. The District Superintendent of Police,
Udhagamandlam,
The Nilgiris District.
4. The Headman,
Kerben Village Grama Sabha,
Kerben Village, Nihung Post,
Kotagiri, The Nilgiris 643217.
5. The Public Prosecutor,
High Court of Madras.

G.CHANDRASEKHARAN.J.,



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