



W.P.(MD)No.14539 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 15.12.2023

Coram:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

W.P.(MD)No.14539 of 2021

and

W.M.P.(MD)Nos.16033, 16396 and 16398 of 2023

R.Sundaresan

.. Petitioner

/versus/

1.The District Collector,
Pudukottai, Pudukottai District.

2.The District Revenue Officer,
Pudukottai, Pudukottai District.

3.The Revenue Divisional Officer,
Aranthangi, Pudukottai District.

4.The Tahsildhar,
Avudaiyarkovil Taluk,
Pudukottai District.

5.The Superintendent of Police,
Pudukottai District.



W.P.(MD)No.14539 of 2021

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6.The Inspector of Police,
Karur Police Station,
Pudukottai District.

7.Sundarraaj

8.Manikandan

9.Dharmaraj

10.Manikandan

11.Namasivayam

12.T.Kumaresan

.. Respondents

Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents No.1 to 6 to take action against the respondents No.7 to 12 for excommunicating the petitioner and further directing the respondents No.1 to 6 to ensure the petitioner in participating in the festival for Arulmigu Thaniyamudaiya Ayyanar Temple, Niraiyamangalam Village, Avudaiyarkovil Taluk and Pudukottai District to be held on 18.08.2021 after receiving tax from him by considering his representation dated 03.08.2021.



W.P.(MD)No.14539 of 2021

For Petitioner :No appearance
For Respondents :Mr.M.Babu Muthu Meeran
Additional Public Prosecutor for R1 to R6
Mr.R.Prasanna for R7 to R12

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O R D E R

There is no representation for the petitioner.

2. Alleging that the respondents 7 to 12 has ex-communicated the petitioner from participating the festival for Thaniyamudaiya Ayyanar Temple, Niraiyamangalam Village, Avudaiyarkovil Taluk, Pudukottai District, to be held on 18.08.2021 after receiving tax from him for considering the representation dated 03.08.2021, the present Writ Petition is filed.

3. Pending writ petition, three Miscellaneous Petitions have been filed one to receive additional affidavit, another to amend the prayer by incorporating the para and further direction to the respondents 1 to 6 to take



W.P.(MD)No.14539 of 2021

WEB COPY

action against one K.R.Ramasamy, Ex.M.L.A., Karaikudi and others for imposing illegal fine of Rs.10 lakhs, on 23.08.2021 and for imposing cost of Rs.1 crore as illegal fine on 08.06.2022 and for ordering the public not to deal with the property of the petitioner and not to participate in the agriculture work and the third petition is filed to implead the respondents No.13 to 17 as respondents in the main writ petition.

4. A reading of the affidavit, gradual embellishment to the facts and improvement clearly shows that this petitioner, who claims to be a whistle blower against Sand Mafia wants to implead the villagers as well as the former Member of the Assembly for the alleged ex-communication. This writ petition deserves to be dismissed *in lumini*, primarily for the reason that the temple festival alleged to have been fixed on 18.08.2021 got over and there is no incident of ex-communicating this petitioner from participating in the festival.



W.P.(MD)No.14539 of 2021

WEB COPY

5. As far as the subsequent petitions filed pending this writ petition to receive additional affidavit implicating few more persons also does not deserve any consideration under Article 226 of the Constitution of India precisely, for the reason that they are all afterthought, which has not been spoken in the earlier affidavit, but had been aware subsequently to implead former MLA in order to get primacy over the other cases, since the High Court has constituted a Special Bench for hearing the cases of present and former MPs and MLAs. The entire affidavit only disclose malafide design of the petitioner herein to harass the villagers and nothing more. Hence, this Writ Petition is dismissed. Consequently, connected Writ Miscellaneous Petition are dismissed. No costs.

15.12.2023

Index:yes/no
Speaking order/non speaking order
Neutral Citation:yes/no
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5/7



W.P.(MD)No.14539 of 2021

WEB COPY

To

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- 6.The Inspector of Police, Karur Police Station, Pudukottai District.
- 7.The Public Prosecutor, High Court, Madras.



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W.P.(MD)No.14539 of 2021

DR.G.JAYACHANDRAN,J.

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W.P.(MD)No.14539 of 2021

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