



W.P(MD)No.1015 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.03.2023

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD).No.1015 of 2022
and WMP(MD)No.8141 of 2022

1.Mangalam

2.Gopinath

... Petitioners

/Vs/

- 1.The District Collector,
Ramanathapuram District, Ramanathapuram
- 2.The Revenue Divisional Officer
Ramanathapuram , Ramanathapuram District
- 3.The District Adi Dravida and Tribal Welfare Officer,
Ramanathapuram, Ramanathapuram District.
- 4.The Special Tahsildar (Harijan welfare),
Muthukulathur taluk, Ramanathapuram District.
- 5.The Block Development Officer,
Muthukulathur Panchayat Union,
Muthukulathur, Ramanathapuram District.
- 6.The President,
Prabakalur village, Muthukulathur taluk,
Ramanathapuram District.



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7. Raman

(7th respondent impleaded as per
order of this Court dated 28.03.2023)

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... 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 immediate action either to declare the community hall located at Prabakalur Village, Muthukulathur Taluk, Ramanathapuram District by the third respondent Department belong to both the petitioners community as well as the Arunthathiyar community people or enabling the same common to all people, who are having permanent habitation in the petitioners village in the light of the petitioners' representation dated 21.06.2021 within a time frame as fixed by this Court.

For Petitioners	: Mr.B.Prahalad Ravi
For R1 to R4	: Mr.N.Muthu Vijayan Special Government Pleader
For R5, R6	: Mr.D.Farjana Ghoushia Special Government Pleader

ORDER

The writ petition has been filed in the nature of mandamus, seeking a direction against the respondents to declare the community hall located at Prabakalur Village, Muthukulathur Taluk, Ramanathapuram District run by the third respondent Department belongs to both the petitioners



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community as well as the Arunthathiyar community people and enabling the same for common use to all people, who are having permanent residence in the petitioners village.

2.In the affidavit filed in support of the writ petition, it had been stated that the petitioners belong to Devendrakula Vellalar Community. They have permanent residence at Prabakalur Village. A community Hall was constructed in the said village by the Government. The petitioners claims that not only the Arunthathiyar community people, they can also use it. The name board of the Community hall itself is in the name of Arunthathiyar Samudhaya Koodam. Under these circumstances, petitioners fear that the community people belonging to Devendrakula Vellalar community would be prevented from using the community hall. Hence, this writ petition has been filed.

3.It is seen that the name of the community hall has been given as Arunthathiyar Samudhaya Koodam. Notice had been directed to the respondents. In the meanwhile WMP(MD)No.8141 of 2022 had been filed by one individual, seeking to implead him as the seventh respondent. He claims



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that some regulations must be given for usage of the community hall.

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4.Since the petitioner in WMP(MD)No.8141 of 2022 is a member of Arunthathiyar Community in the aforesaid village, this petition is allowed and he is impleaded as the seventh respondent in the writ petition. Registry is directed to implead the petitioner as the seventh respondent, before issuing the order copy.

5.Heard, the learned counsel appearing for the petitioner, the learned counsel appearing for the petitioner in WMP(MD)No. 8141 of 2022 and also the learned Special Government Pleaders, who have taken notice on behalf of respondent 1 to 6.

6.It will only be appropriate that the Samudhaya Koodam, which had been constructed by the Government is used by all members of the community for common usage. It must be used for function, which are celebrated on good occasion. When good occasions are celebrated everybody will join together. It does not belong exclusively either to Devendrakula Vellalar Community or to Arunthathiyar Community. It must be used by the



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villagers for common purpose.

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7.The revenue officials should change the name of Samudhaya Koodam into any neutral name or any other name, without giving reference to any community.

8.The second respondent/Revenue Divisional Officer is directed to issue notice to both community members namely, Devendrakula Vellalar Community and also to Arunthathiyar Community and convene a Peace Committee Meeting, to bring out an understanding among the members that the Samudaya Koodam is meant for common usage. The Revenue Divisional Officer may also include any other official, who are required in the Peace Committee Meeting. In the meeting, necessary regulations may be issued for the common usage of the Samudaya Koodam. Not only the writ petitioners, but also the petitioner in WMP(MD) No.8141 of 2022 should abide by any such direction given by the Revenue Divisional Officer.

9.Moreover, the name of Samudaya Koodam must also be changed either to the name of the village or to any other neutral name,



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without giving reference to any of the community. Thereafter, the community hall must be open for common usage of all the village members.

The said exercise should be completed by the second respondent, within a period of three weeks from the date of receipt of copy of this order.

10. With the above directions, this Writ Petition stands disposed of. No costs.

28.03.2023

NCS : Yes/No
Index : Yes / No
Internet: Yes/ No
PNM

To

1. The District Collector,
Ramanathapuram District, Ramanathapuram
2. The Revenue Divisional Officer
Ramanathapuram , Ramanathapuram District
3. The District Adi Dravida and Tribal Welfare Officer,
Ramanathapuram, Ramanathapuram District.
4. The Special Tahsildar (Harijan welfare),
Muthukulathur taluk, Ramanathapuram District.
5. The Block Development Officer,
Muthukulathur Panchayat Union,
Muthukulathur, Ramanathapuram District.



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6.The President,
Prabakalur village, Muthukulathur taluk,
Ramanathapuram District.

C.V.KARTHIKEYAN, J.

PNM

ORDER IN
W.P(MD).No.1015 of 2022
and WMP(MD)No.8141 of 2022



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