



W.P.(MD)No.6550 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 16.10.2023

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THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.(MD)No.6550 of 2021

G.Sarathi

.. Petitioner

Versus

1.The District Collector,
Dindigul District, Dindigul.

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

3.The Inspector of Police,
Chinnalapatti Police Station,
Dindigul District.

4.Muthuraj, S/o.Irulappan Servai

5.Chellathurai Servai, S/o.Solaimuthu Servai

6.S.L.Paneerselvam

.. Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents 1 to 3 to take action against the private respondents 4 to 6 for excommunicating the petitioner and his family members, by considering the petitioner's representation, dated 15.03.2021.



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For Petitioner : Mr.K.Sivabalan
For R1 : Mr.A.K.Manikkam
Special Government Pleader
For R2 and R3 : Mr.R.Sivakumar
Government Advocate (Criminal side)
For R4 and R5 : Mr.M.Mohammed Rafi

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the respondents 1 to 3 to take action against the private respondents 4 to 6 for excommunicating the petitioner and his family members.

2. When the matter was taken up for hearing today, the learned Government Advocate (Criminal side) appearing on behalf of the respondents 2 and 3 submitted that an enquiry was conducted and it came to light that there was an inter caste marriage by the parents of the petitioner and there was some misunderstanding in that regard with the people belonging to the Village. Thereafter, a Peace Committee Meeting was also conducted and it was concluded that the petitioner and his family members will not be discriminated in the Village and they will also be permitted to participate in the function/festival that is conducted in the Temple. However, the tax will not be collected from the petitioner, since the petitioner is not living within the locality and tax is not collected from persons, who are not living in the



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3. The statement given by the petitioner and the fourth respondent before the third respondent has also been placed before this Court.

4. In the considered view of this Court, the undertaking given by the private respondents will sufficiently take care of the grievance expressed by the petitioner. Insofar as the payment of tax is concerned, there is a particular practice being followed in the Village and therefore, if the petitioner is not living in the same locality and the tax is not collected from him, this Court cannot insist for the collection of tax during the Temple festival. These are matters, which are practiced at a local level and it is too difficult for this Court to issue directions, which will become unworkable at the ground level. The petitioner and his family members can live peacefully in that place without any discrimination and also can attend the Temple festival. This undertaking will sufficiently take care of the grievance expressed by the petitioner.

5. This Writ Petition is disposed of in the above terms. No costs.

NCC : Yes/No
Index : Yes/No
smn2

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To

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N.ANAND VENKATESH, J.

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