



W.P(MD)No.5295 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:03.04.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.5295 of 2023

Krishnamoorthy

... Petitioner

Vs.

1.The District Collector,
District Collector Office,
Ramanathapuram District.

2.The Superintendent of Police,
District Police Office,
Ramanathapuram District.

3.G.Balasubramanian

4.S.Kadhiraman

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st and 2nd respondents to take stringent action against respondents 3 and 4 for having excommunicated the petitioner and his family members by considering the petitioner's representation, dated 02.12.2022 within the time frame that may be stipulated by this Court.



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For Petitioner : Mr.A.Robinson
For Respondents : Mr.A.Kannan for R1
Additional Government Pleader

Mr.B.Nambiselvan for R2
Additional Public Prosecutor

ORDER

The writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus directing the 1st and 2nd respondents to take stringent action against respondents 3 and 4 for having excommunicated the petitioner and his family members by considering the petitioner's representation, dated 02.12.2022 within the time frame that may be stipulated by this Court.

2.The facts in brief:

The petitioner's family for about four generations are residing in the Village. A village committee is also functioning, which take all the decisions of the public importance. The meeting will be presided by the respondents Nos.3 and 4 along with other 16 committee members. Rupee 50 will be collected by the Village Committee as monthly subscription for conducting important festivals. But in the month of August 2022, the amount was not collected from the petitioner



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and he was not permitted to participate in the village committee meeting.

They ex-communicated the petitioner's family from the village. On 02.09.2022 the village temple festival was conducted in Arulmighu Mutharamman temple and when the petitioner's family went to attend the festival, they were denied entry. They have also asked other village members not to have any connection with the petitioner's family, since they have been ex-communicated. Hence, the petitioner has sent a representation dated 02.12.2022 for taking action. When that was not considered, this present petition has been filed.

3.On the earlier hearing, the learned Additional Public Prosecutor was required to get instructions with regard to the allegations raised in this petition through the District Collector. Report has been received from the Tahsildar, Ramanathapuram, which shows that absolutely there is no excommunication or anything happened against this petitioner and their family in the Village. In view of the above said report, I find that the petition has been filed without any basic reason. The matter become unnecessary.



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4.This writ petition is disposed of as unnecessary. No costs.

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03.04.2023

NCC :Yes/No

Index :Yes/No

Internet : Yes/ No

TM

To

- 1.The District Collector,
District Collector Office,
Ramanathapuram District.
- 2.The Superintendent of Police,
District Police Office,
Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN, J

TM

Order made in
W.P(MD)No.5295 of 2023

Dated :03.04.2023