



W.P(MD)No.8712 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.04.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.8712 of 2023

Ramasamy

...Petitioner

Vs.

1.The Superintendent of Police,
Karur District,
Karur.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Kulithalai.

3.The Deputy Superintendent of Police,
Kulithalai,
Karur District.

4.The Inspector of Police,
Sindhmanipatti Police Station,
Karur District.

5.Irudhayamary

6.Saravanan

7.V.P.Pitchai

8.Selvi

9.S.Kalidass

10.P.Subramani

11.P.Muruges

12.M.Elavarasan

13.K.Madhankumar

14.Inbathamil

15.V.Pameswaran



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16.Mariyayi
17.Yogeshwaran
18.Chitra
19.P.Shanmugam
20.A.Karuppasamy

... 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 1 to 4, to take action against the respondents 5 to 20 for ex-communication of the petitioner and his family members from their village of Valvarmangalam Village, Majapulipatti Post, Kodalur Taluk, Karur District and ensuring the petitioner and his family members to live peacefully at their village as like other villagers.

For Petitioner : Mr. R.Murugappan
For Respondents : Mr.M.Nambiselvan
Additional Public Prosecutor

ORDER

This Writ Petition has been filed for issuing a direction to the respondents 1 to 4, to take action against the respondents 5 to 20 for ex-communication of the petitioner and his family members from their village of Valvarmangalam Village, Majapulipatti Post, Kodalur Taluk, Karur District and ensuring the petitioner and his family members to live peacefully at their village as like other villagers.



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2. The learned Additional Public Prosecutor appearing for the respondents police would submit that notice has been issued for the encroachment made over the property which belongs to the elementary school run by the Government Primary School.

3. The allegation as against the petitioner is that he has encroached upon the said property and put up an Asphettas shed. In spite of repeated request, he has not removed the shed. On the basis of the complaint given by the Headmaster of the above said school an enquiry in CSR.No.258 of 2022 was undertaken, in CSR.No.262 of 2022, in which, the complaint given by him. Finding that it is an issue between the parties over the property. So they were advised to work out their remedy through civil procedure.

4. In view of the above said development there is no ex-communication of this petitioner and this Writ Petition is filed by giving a criminal colour to alleged encroachment as if he was ex-communicated. Hence, I do not find any merit in this petition.

5. Accordingly, this Writ Petition is dismissed. No costs.



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19.04.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes/ No
trp

To

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Karur.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Kulithalai.

3.The Deputy Superintendent of Police,
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Karur District.

4.The Inspector of Police,
Sindhmanipatti Police Station,
Karur District.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN,J

trp

Order made in
W.P(MD)No.8712 of 2023

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