



W.P(MD)No.23779 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.10.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.23779 of 2023

V.Mokkaiya

... Petitioner

Vs.

1.The District Collector,
Pudukkottai District,
Pudukkottai.

2.The Tahsildar,
Taluk Office,
Thirumayam Taluk,
Pudukkottai District.

3.The Inspector of Police,
Namanasamudram Police Station,
Pudukkottai District.

4.Karuppaiah

5.Arasappan

6.Pandi

7.Alagappan

8.Muthu

9.Arasappan

... Respondents



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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 and 2 herein to take action against the respondent 4 to 9 for Excommunicating petitioner and his family members from exercising our religious right of Worship and consequently permit him and his family members to perform their religious duties by participating in the religious ceremonies and accept our contribution (Thalaikattu Vari) in so far as petitioner and his family members and concerned.

For Petitioner : Mr.S.Alagusundar

For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

This writ petitioner filed this Writ Petition seeking for issuance of a directing the respondents 1 and 2 herein to take action against the respondent 4 to 9 for Excommunicating petitioner and his family members from exercising their religious right of Worship and consequently permit him and his family members to perform their religious duties by participating in the religious ceremonies and accept contribution (Thalaikattu Vari) in so far as petitioner and his family members are concerned.



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2. Mr.R.M.Anbunithi, learned Additional Public Prosecutor takes notice for the respondents.

3.Heard both sides.

4. The learned counsel for the petitioner submitted that the respondents 4 to 9 are ex-communicating the petitioner from participating in the temple festival and also refusing to collect temple tax from him.

5. Learned Additional Public Prosecutor would submit that enquiry was conducted in this case and during the enquiry some of the private persons appeared and stated that in the temple festival, the petitioner was not ex-communicated from participating. The festival was conducted by the participation of all the villagers. So far as the collection of taxes, the festival was conducted by using the donation given by the NRIs and the temple is not holding any village committee or temple committee, as the case may be.



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6. Let the complaint of the petitioner be enquired by the first respondent herein who is the competent authority and the first respondent may take action, if any ex-communication is found, in accordance with law. The entire process must be completed within a period of one month from the date of receipt of a copy of this order.

7. With this direction, this Writ Petition is disposed of. No costs.

03.10.2023

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

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To

- 1.The District Collector, Pudukkottai District, Pudukkottai.
- 2.The Tahsildar, Taluk Office, Thirumayam Taluk, Pudukkottai District.
- 3.The Inspector of Police, Namanasamudram Police Station, Pudukkottai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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G.ILANGO VAN, J

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Order made in
W.P(MD)No.23779 of 2023

Dated : 03.10.2023