



W.P(MD)No.25042 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.10.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.25042 of 2023

P.Thangarasu

... Petitioner

Vs.

1.The District Collector,
Trichy District, Trichy.

2.The Revenue Divisional Officer,
Vannankovil, Srirangam,
Trichy District.

3.The Tahsildar,
Manapparai Taluk,
Manapparai,
Trichy District.

4.The Superintendent of Police,
Trichy District, Trichy.

5.The Inspector of Police,
Manapparai Police Station,
Manapparai, Trichy District.

6.Subramani

... 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 No.1 to 5 to take necessary action against the 6th respondent and others for objecting the petitioner's family and other 59 families in the petitioner's village pertaining to the usage of Manthai namely common place for the petitioner's family celebrations and functions under the guise of ostracisation based on the representation of the petitioner dated 19.09.2023 sent to the respondents No.1 to 5 herein within a time frame fixed by this Court.

For Petitioner : Mr.B.Prahalad Ravi

For Respondents : Mr.K.Balasubramani,
Spl. Government Pleader for R1 to R3.
Mr.A.Albert James,
Government Advocate for R4 & R5.

ORDER

Heard the learned counsel for the writ petitioner, the learned Special Government Pleader for the respondents 1 to 3 and the learned Government Advocate for the respondents 4 and 5. Notice could not be



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effected on the sixth respondent. However, considering the nature of relief to be granted, service of notice on the sixth respondent is dispensed with.

2.It is seen that the petitioner as well as the sixth respondent belong to same community. In the petition mentioned village, 59 families are on the side of the writ petitioner and 108 families are on the side of the sixth respondent. The only issue is regarding usage of natham S.No.352/2. The learned Special Government Pleader informs that the said survey number has been classified as “natham”. It is meant for common use. The petitioner's grievance is that the said site is used for all the auspicious and inauspicious events and that the petitioner side is being prevented from using the said site. It is made clear that use of said site cannot be restricted by any person. S.No.352/2 shall be open for common and communal use as has been traditionally observed. It is the duty of the official respondents to ensure that no group is prevented from using the said survey number for common use. Grant of relief in this writ petition will not mean that this Court had formed any adverse conclusion against the sixth respondent.



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3.This writ petition is disposed of accordingly. No costs.

30.10.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

- 1.The District Collector,
Trichy District, Trichy.
- 2.The Revenue Divisional Officer,
Vannankovil, Srirangam,
Trichy District.
- 3.The Tahsildar,
Manapparai Taluk,
Manapparai,
Trichy District.
- 4.The Superintendent of Police,
Trichy District, Trichy.
- 5.The Inspector of Police,
Manapparai Police Station,
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G.R.SWAMINATHAN, J.

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