



WEB COPY



WP.No.12443of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.07.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

WP.No.12443 of 2024

L.P.Rajasekar

... Petitioner

Vs.

1. The District Collector,
Office of the Collectorate,
171, Church Hill Road,
near Charing Cross,
Pudumund, Ooty,
Nilgris District-643 001.
2. The Superintendent of Police,
Office of the Superintendent,
Nilgris District.
3. The Executive Magistrate
Cum Revenue Divisional Officer,
Udhagamandalam,
Nilgris District.
4. R.Ashokan

... Respondents

PRAYER : Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the respondents 1 to 3 herein to take suitable action as against the 4th respondent herein for excommunicating the petitioner and his family based on the



WP.No.12443of 2024

representation of the petitioner dated 05.12.2023 and dispose of the same within a stipulated time.

For Petitioner : Mr.W.Camyles Gandhi
For Respondents : Mr. S.Udaya Kumar
Government Advocate (Crl.Side)
for R1 to R3
: Mr.M.Velmurugan for R4

ORDER

The petitioner herein has given a representation on 05.02.2023 to the concerned authorities alleging that the 4th respondent herein using his Office as Village Head, threatened him that he will excommunicate the petitioner and his family since the petitioner has questioned the 4th respondent regarding misappropriation of the Village fund.

2. After notice to the respondent, the learned counsel for the 4th respondent submits that the petitioner herein is one of the few educated graduate in the village and he has respected him for his education and social work. He has no intention to excommunicate him whereas he needs his knowledge and assistance for the welfare of the village.



WP.No.12443of 2024

3. The learned Government Advocate (Crl.Side) submits that after the complaint, both the petitioner and the 4th respondent have called and they have given in writing that they will abide by the outcome of the writ petition pending.

4. Considering the allegations made on behalf of the petitioner and the present undertaking given by the 4th respondent, this Court is of the view that the B.Manihatty Hamlet in Uthagamandalam which is predominantly Tribes inhabited by Baduga Community is governed by the command of the village head.

5. The petitioner alleges that the 4th respondent is conducting kattapanchayat and social boycott. However, this Court finds no material to substantiate the said allegation. More so, when the 4th respondent recognizes the petitioner herein for his education and service. Hence this Court records the undertaking of the 4th respondent and dispose of the writ petition. No costs.

22.07.2024

Vv



WP.No.12443of 2024

To

WEB COPY

1. The District Collector,
Office of the Collectorate,
171, Church Hill Road,
near Charing Cross,
Pudumund, Ooty,
Nilgris District-643 001.
2. The Superintendent of Police,
Office of the Superintendent,
Nilgris District.
3. The Executive Magistrate
Cum Revenue Divisional Officer,
Udhagamandalam,
Nilgris District.



WEB COPY



WP.No.12443of 2024

Dr.G.JAYACHANDRAN,J.

Vv

WP.No.12443 of 2024

22.07.2024