



W.P.(MD)No.2467 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.12.2024

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THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P.(MD)No.2467 of 2024

M.Palanichamy

... Petitioner

Vs.

- 1.The District Collector,
Collectorate Complex,
Virudhunagar District.
- 2.The Superintendent of Police,
Office of the Superintendent of Police,
Virudhunagar District, Virudhunagar.
- 3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Sattur, Virudhunagar District,
Pin: 626 203.
- 4.The Revenue Thasildar,
Office of the Revenue Thasildar,
Virudhunagar, Pin: 626 001.
- 5.The Block Development Officer,
(Village Panchayat),
Office of the Block Development Officer,
Virudhunagar Panchayat Union,
Virudhunagar, Pin-626 001.



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6.The Inspector of Police,
Soolakarai Police Station,
Soolakarai Circle, Virudhunagar District,
Pin:626 002.

7.Muthulakshmi
8.Rajamanickam
9.Vellaiyan

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, directing the respondents 1 and 2 to take action against the respondents 7 to 9 and allow the petitioner and his family members to rejoin in the village based on the petitioner's representation sent to the respondents 1 and 2 dated 14.09.2023.

For Petitioners : Mr.L.Prabhu
For RR1, 3, 4 & 5 : Mr.M.Muthumanikkam
Government Advocate (Crl.Side)
For R 7 to R9 : Mr.M.Beema Rao
For R2 & R6 : Mr.P.Kottaichamy
Government Advocate (Crl.side)

ORDER

This writ petition has been filed to direct the respondents 1 and 2 to take action against the respondents 7 to 9 and allow the petitioner and his family members to rejoin in the village based on the petitioner's representation dated 14.09.2023.



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2.The grievance expressed by the petitioner is that the petitioner is a resident of Kuppampatty Village, Pattampudur Post, Virudhunagar. The petitioner is aged about 85 years. He has taken on lease the land in Survey No.196 to an extent of 1.07.50 hectares belonging to one Nadar Community and he was doing agricultural activities in that property. On the western side of the land, there is a public road and it is being used by the villagers. The petitioner along with his sons had damaged the said road by digging the road without any permission. Hence, the villagers restrained them from doing so. Further, the petitioner is having a provisional stores in his village. Because of this issue, the petitioner has been excommunicated from the village and nobody in the village is purchasing any provisions from the petitioner's shop.

3.The learned counsel for the petitioner submits that he has been excommunicated from the village and the petitioner is not permitted to do the agricultural activities in the property, which was taken on lease by the petitioner. Only in order to secure the said land from the petitioner, the false complaint has been registered as against the petitioner and his sons.



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4.The fourth respondent, Tahsildar, has filed a status report stating that the petitioner belongs to Nadar Community and he owes a general provisional store in his village. There are different community people in the village. The contention of the petitioner with regard to his excommunication is false and no resolution was passed in this regard by the villagers. The petitioner is a lessee of the land belonging to Nadar community. Adjacent to the said land, there is a public road used by the villagers. The petitioner and his sons intentionally damaged the said road. When the same was questioned by the villagers, there arose a quarrel between the parties and as a result, case in Crime Nos.22, 23 and 24 of 2023 have been registered.

5.Heard the learned counsel appearing on either side and perused the materials placed on record.

6.Perusal of the materials placed before this Court shows that there is no question of excommunication as alleged by the petitioner. The petitioner and his sons caused damage to the public road. Hence, the



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complaint has been lodged by the Village Administrative Officer.

Further, the petitioner by his own conduct kept the villagers away from him and hence, the villagers started to approach the other shop available in the village. On this sole ground, it cannot be stated by the petitioner that the petitioner is being excommunicated by the villagers. It is to be noted that there is no village meeting or any resolution excommunicating the petitioner from the village.

7.Considering the fact that the case on hand was initiated against the petitioner only by the revenue officials and the petitioner by his own conduct had kept the villagers away from him, I do not find any merits in this writ petition. Accordingly, this writ petition stands dismissed.

06.12.2024

NCC : Yes / No

Index : Yes / No

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



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M.NIRMAL KUMAR, J.

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