



W.P.(MD) No.2843 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.04.2024

CORAM:

THE HONOURABLE **MR.JUSTICE R.SURESH KUMAR**

AND

THE HONOURABLE **MR.JUSTICE G.ARUL MURUGAN**

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Kali Dhas

... Petitioner

-Vs-

- 1.The District Collector,
Thanjavur, Thanjavur District.
- 2.The District Revenue Officer,
Thanjavur, Thanjavur District.
- 3.The Revenue Divisional Officer,
Pattukottai, Thanjavur District.
- 4.The Tahsildar,
Pattukottai Taluk, Thanjavur District.
- 5.The Assistant Director,
Fisheries Department,
Thanjavur, Thanjavur District.
- 6.The Commissioner,
Adhiramapattinam Municipality,
Thanjavur District.
- 7.The Superintendent of Police,
Thanjavur, Thanjavur District.



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8.The Inspector of Police,
Adhiramapattinam Police Station,
Thanjavur District.

9.Kuppaiaikani

10.Panchavarnam

11.Balasubramanian

12.Muthu

13.Karunanidhi

14.Panchavaram

15.Subramanian

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 8 to forthwith abolish the unregistered Gandhi Nagar Panchayat which is running by the respondents 9 to 15 without any permission or authority by any Government orders and take necessary criminal action against them in accordance with law and conduct the fish auction under the respondents 5 and 6 based on the petitioner's representation dated 30.01.2024 within the time stipulated by this Court.

For Petitioner : Mr.B.Santhanam Rajesh Kumar

For R1 to R6 : Mr.P.Thilak Kumar,
Government Pleader

For R7 & R8 : Mr.S.S.Madhavan,
Government Advocate (Crl.Side)

For R9 to R15 : Mr.S.Deenadhayalan



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ORDER

[Order of the Court was made by *R.SURESH KUMAR, J.*]

The prayer sought for in this Writ Petition is to direct the respondents 1 to 8 to forthwith abolish the unregistered Gandhi Nagar Panchayat, which is running by the respondents 9 to 15 without any permission or authority by any Government orders and take necessary criminal action against them in accordance with law and conduct the fish auction under the respondents 5 and 6 based on the petitioner's representation dated 30.01.2024 within the time stipulated by this Court.

2.The main grievance of the petitioner is that, the private respondents formed a group and they are managing the affairs of the fishing market in that locality, where the petitioner has not been inducted. Such an action of the private respondents, according to the petitioner, is treated as an ex-communication. Therefore, he had made a complaint to the revenue authorities. The revenue authorities through the Tahsildar, Pattukottai Taluk had conducted Peace Committee Meeting, where all such private respondents as well as the petitioner had participated, where the Executive Magistrate / Tahsildar had given some directions to maintain law and order and also to have a smooth sailing of fishing activities and marketing of fishes by all concerned in that locality. Such an order



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had been passed by the Tahsildar, Pattukottai Taluk on 03.01.2024. Despite that such attitude on the part of the private respondents towards the petitioner is continuing. That is why, the petitioner has filed this Writ Petition.

3.Heard the learned counsel for the petitioner, the learned Government Pleader for the respondents 1 to 6, the learned Government Advocate (Crl.Side) for the respondents 7 and 8 and the learned counsel for the private respondents.

4.It is submitted by the learned Government Pleader, the learned Government Advocate (Crl.Side) and the learned counsel for the private respondents, on instructions that, there has been no declaration of any ex-communication by any of the village people against the petitioner. Moreover, whatever the directions given by the Tahsildar, Pattukottai Taluk by order dated 03.01.2024 would be followed by everyone in that locality. Therefore, there can be no grievance on the part of the petitioner, they contended.

5.In view of the said submission, having regard to the said order passed by the Tahsildar, Pattukottai Taluk, dated 03.01.2024, we feel that by giving a direction to the following effect, this Writ Petition can be disposed of:-

“that there shall be a direction to the private respondents and



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the petitioner to follow the directions and instructions given by the Tahsildar, Pattukottai Taluk, vide his order dated 03.01.2024, pursuant to the Peace Committee Meeting held in this regard, without any deviations. If that is followed, whatever the grievances of the petitioner would be redressed accordingly.”

6.With these directions and observations, this Writ Petition is disposed of. We make it clear that if any difficulty arises in implementing the order passed by the Tahsildar, Pattukottai Taluk, dated 03.01.2024 in order to fulfil the same, it is open to the Tahsildar, Pattukottai Taluk to take any steps to implement it. No costs.

[R.S.K., J.] & [G.A.M., J.]
01.04.2024

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

Yuva

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