



W.P(MD)No.4094 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 22.02.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.4094 of 2024
and
W.M.P(MD)No.3962 of 2024

Narayanan

... Petitioner

Vs.

- 1.The District Collector,
Office of the District Collector,
Nagercoil,
Kanyakumari District.
- 2.The Superintendent of Police,
Office of the Superintendent of Police,
Kanyakumari District.
- 3.The Revenue Divisional Officer,
Office of the District Collector,
Agastheeswaram Taluk,
Kanyakumari District.
- 4.The District Revenue Officer,
Office of the Revenue Department,
Nagercoil,
Kanyakumari District.



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- 5.The Tahsildar,
Agastheeswaram Circle,
Kanyakumari District.
- 6.The Arulmigu Perumal Pillaiyar Swami Trust,
Kottar Ezhavar Community,
Represented by its Administrators,
K.S.Muthu,
S/o.Kumaravel,
Kottar, Nagercoil,
Kanyakumari District.
- 7.The Arulmigu Perumal Pillaiyar Swami Trust,
Kottar Ezhavar Community,
Represented by its Administrators,
S.Manikumar,
S/o.Shanmugam,
Kottar, Nagercoil,
Kanyakumari District.
- 8.The Arulmigu Perumal Pillaiyar Swami Trust,
Kottar Ezhavar Community,
Represented by its Administrators,
B.Subramanian,
S/o.Boothalingam,
Kottar, Nagercoil,
Kanyakumari District.
- 9.Arulmigu Perumal Pillaiyar Swami Trust,
Kottar Ezhavar Community,
Represented by its Treasurer,
P.Nagarajan,
S/o.Purusothaman,
Kottar, Nagercoil,
Kanyakumari District.
- ... 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 appropriate action against the respondents 6 and 9 for excommunicating the petitioner and his family members by way of resolution dated 03.03.2023 and consequently directing the respondents 1 and 2 to permit the petitioner and his family members to take part in the General Body Meeting in the sixth respondent temple Arumuga Perumal Pillayar Swami Trust going to be held on 23.02.2024 after collecting Vari and rent with adequate Police protection.

For Petitioner : Mr.M.Siva Sankar

For Respondents : Mr.K.S.Selvaganesan
Additional Government Pleader
for R.1, R,3 to R.5

Mr.A.Albert James
Government Advocate (Crl Side) for R.2

ORDER

Heard the learned counsel appearing for the writ petitioner, the learned Additional Government Pleader appearing for the respondents 1, 3, 4 & 5 and the learned Government Advocate appearing for the second respondent.



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2.After hearing the learned counsel on either side, I am not satisfied that the case of ex-communication has been made out. It appears that the petitioner is having some disputes with his brother and as a result he is not being allowed to take part in the general body meeting of the community trust. This will not amount to ex-communication. The petitioner's remedy is elsewhere.

3.Granted such liberty to the petitioner, this writ petitioner is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

22.02.2024

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

To

- 1.The District Collector,
Office of the District Collector,
Nagercoil, Kanyakumari District.
- 2.The Superintendent of Police,
Office of the Superintendent of Police,
Kanyakumari District.

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- 3.The Revenue Divisional Officer,
Office of the District Collector,
Agastheeswaram Taluk,
Kanyakumari District.
- 4.The District Revenue Officer,
Office of the Revenue Department,
Nagercoil,
Kanyakumari District.
- 5.The Tahsildar,
Agastheeswaram Circle,
Kanyakumari District.



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G.R.SWAMINATHAN, J.

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