



W.P(MD)No.8818 of 2024

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 08.04.2024

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.P(MD)No.8818 of 2024

and

W.M.P.(MD)No.8034 of 2024

M.Muthukumar

... Petitioner

Vs.

- 1.The District Collector,  
Tirunelveli District,  
Tirunelveli.
- 2.The Superintendent of Police,  
Tirunelveli District,  
Tirunelveli.
- 3.The Tahsildar,  
Cheranmahadevi Taluk,  
Tirunelveli District.
- 4.The Inspector of Police,  
Munneerpallam Police Station,  
Tirunelveli District.
- 5.Narayanan
- 6.Thangapandi
- 7.Sankaralingam
- 8.Mani
- 9.Kovil
- 10.Mahalingam



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11. Ananthakumar

12. Mahesh

... Respondents

**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 3 to take action against the respondents 5 to 12 for their illegal act of excommunicating the petitioner and his family members from the village, by considering his representations dated 10.03.2022 and 22.03.2024.

For Petitioner : Mr.T.Leninkumar

For Respondents : Mr.G.V.Vairam Santhosh,  
Addl. Government Pleader for R1 & R3.  
Mr.Albert James,  
Govt. Advocate (Crl. Side) for R2 & R4.

### **ORDER**

Heard the learned counsel for the writ petitioner, the learned Additional Government Pleader for the respondents 1 and 3 and the learned Government Advocate (Crl. Side) for the respondents 2 and 4. Issuance of notice to the private respondents is dispensed with.

2.The petitioner alleges that he has been excommunicated.



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3. When the matter was taken up for hearing, the learned Government Advocate (Crl. Side) submitted that the complaint given by the petitioner was enquired into by the jurisdictional police and that the private respondents herein appeared before the fourth respondent and gave it in writing that they have no objection for accepting vari from the petitioner and that the petitioner can very well take part in all the temple functions.

4. Excommunication by itself is unconstitutional. It is directed that the petitioner is entitled to take part in the petition mentioned temple festival like any other devotee. He shall not be discriminated for any reason.

5. With this declaration in favour of the petitioner, this writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

**08.04.2024**

NCC : Yes/No  
Index : Yes / No  
Internet : Yes/ No  
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**G.R.SWAMINATHAN, J.**

ias

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Tirunelveli.
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