



WP(MD) No.9302 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 19.03.2024

CORAM:

THE HONOURABLE **MR.JUSTICE SATHI KUMAR SUKUMARA KURUP**

W.P.(MD) No.9302 of 2023

1.N.Ponnusamy @ Apple
2.C.Ayyanar
3.C.Singaraj
4.C.Lakshmanan

... Petitioners

/vs./

- 1.The District Collector,
Virudhunagar District,
Virudhunagar Town.
- 2.The Revenue Divisional Officer,
Sivakasi Town,
Virudhunagar District.
- 3.The Tahsildar,
Taluk Office,
Rajapalayam Town,
Virudhunagar District.
- 4.The Superintendent of Police,
Virudhunagar District,
Virudhunagar Town.
- 5.The Inspector of Police,
Rajapalayam North Police Station,
Rajapalayam Town,
Virudhunagar District.



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6.G.Ramaiah

7.Saravanaperumal

8.Maran

9.Selvaraj

10.Rajasekaran

11.Singappan

12.Sirumani @ Gopal

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the Respondents 4 and 5 herein to initiate appropriate legal action against the Respondents 6 to 12, who are all the present office bearers of our administrative committee of Chellam North South Street, Rajapalayam Town and to prevent social boycott/ex-communication against the Petitioners and to ensure that the fundamental rights of the erstwhile office bearers of Chellam North South Street of Rajapalayam Town are safeguarded by considering the representation of the Petitioners dated 26.12.2022 and 15.03.2023.

For Petitioner : Mr.M.Thirunavukkarasu

For R-1 to R-5 : Mr.B.Thanga Aravindh
Government Advocate (Criminal Side)

For R-6 to R-9
R-11 and R-12 : Mr.R.J.Karthick



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ORDER

The learned Counsel for the Petitioner submitted that the Petitioner had filed this petition for issuance of Writ of Mandamus, seeking direction against the Respondents 4 and 5 to initiate appropriate legal action against the Respondents 6 to 12, who are all the present office bearers of our administrative committee of Chellam North South Street, Rajapalayam Town and to prevent social boycott/ex-communication against the Petitioners and to ensure that the fundamental rights of the erstwhile office bearers of Chellam North South Street of Rajapalayam Town are safeguarded by considering the representation of the Petitioners dated 26.12.2022 and 15.03.2023.

2. It is the contention of the learned Counsel for the Petitioners that the Petitioners are the erstwhile office bearers of the Chellam North-South Street Village Administrative Committee. After the election, the new office bearers took charge and during the Temple festival, the new office bearers excommunicated the present Petitioners and their family members. Hence, a compliant was preferred by the Petitioners regarding ex-communication. Since no action was taken, the Petitioners approached this Court by way of filing this



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petition, seeking direction against the Respondents 1 to 5 to conduct enquiry regarding the conduct of the Respondents 6 to 12 in excommunicating the Petitioners from the village.

3. The learned Counsel for the Respondents 5 to 9 and 11 and 12 submitted that it is the question of allegations against the Petitioners regarding the association funds and there had not been any excommunication as alleged by them.

4. The learned Government Advocate (Criminal Side), on instructions of the Respondents would submit that the Respondent Police had conducted enquiry independently and no such ex-communication take place, as alleged in the petition. He would further submit that the Petitioners were previous office bearers and there are allegations against them for the misappropriation of Chellam North South Street Residence Welfare Association.

5. The learned Counsel for the private Respondents would submit that the suit itself had been filed against the Petitioners for recover of money.



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6. Recording the submission of the learned Government Advocate
(Criminal Side), the Writ Petition stands closed. No costs.

19.03.2024

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

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SATHI KUMAR SUKUMARA KURUP, J.

Nsr

Order made in
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