



W.P.(MD).No.26940 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 13.12.2024

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD).No.26940 of 2023

Chinnamuthu

...Petitioner

Vs.

1.The District Collector,
Karur District.

2.The Tahsildar,
Kadavur Taluk,
Karur District.

3.The Superintendent of Police,
Karur District, Karur.

4.The Inspector of Police,
Balaviduthi Police Station,
Kadavur Taluk,
Karur District.

5.Karunagiri

6.Palanichamy

7.Vellaiyan @ Bommaiyan

8.Chinnakalai

.. Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India,
for the issuance of Writ of Mandamus, directing respondent Nos.3 to 4 to



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ensure the petitioner's fundamental rights by taking appropriate action against respondent Nos.5 to 8 who put up untouchability fencing in his village by excommunicating the petitioner and his family member as well based on the representations given by the petitioner dated 04.10.2023, 09.10.2023 and 01.11.2023 respectively.

For Petitioner	: Mr.V.Muthusamundeeswaran
For R-1 & R-2	: Mr.V.Muthu Manikkam, Government Advocate
For R-3 & R-4	: Mr.B.Thanga Aravindh Government Advocate (Crl.side)

ORDER

This petition has been filed for the issue of Writ of Mandamus directing respondent Nos.3 and 4 to remove the fencing that has been put up by the private respondents and thereby attempting to excommunicate the petitioner and his family members.

2. Today, when the matter was taken up for hearing, the learned counsel appearing for the petitioner submitted that during the pendency of this writ petition, the Tahsildar came to the place and removed the fencing and laid boundary stones. Now, once again, the private respondents are attempting to remove the boundary stones and to fence and thereby, excommunicate the petitioner and his family members.



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3. In the considered view of this Court, the revenue authorities have already taken action and fencing was removed and the boundary stones have been laid. If the private respondents are claiming for any right, they can only work out their right before the competent Civil Court and they cannot take law into their own hands, more particularly since the Tahsildar has surveyed the place and laid boundary stones.

4. If any such attempt is made by the private respondents to remove the boundary stones and once again restore to its original position, the fourth respondent is directed to take immediate action and ensure that the property is maintained in the same status, at which the Tahsildar had laid the boundary stones earlier after conducting the survey.

5. This Writ Petition stands disposed of with the above directions.

No costs.

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Index :Yes/No

Internet : Yes/No

TSG



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Karur District.
- 3.The Superintendent of Police,
Karur District, Karur.
- 4.The Inspector of Police,
Balaviduthi Police Station,
Kadavur Taluk,
Karur District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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N.ANAND VENKATESH.J.,

TSG

**Order made in
W.P.(MD).No.26940 of 2023**

**Dated :
13.12.2024**