



W.P.(MD)No.29909 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.12.2024

CORAM:

THE HONOURABLE **MR.JUSTICE M.NIRMAL KUMAR**

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Thanagaraja

.. Petitioner

Vs

1. The District Collector
Office of the District Collector
Ramanthapuram District
2. The Superintendent of Police
Office of the Superintendent of Police
Ramanthapuram District
3. The Deputy Superintendent of Police
Office of the Deputy Superintendent of Police
Ramanathapuram Sub Division
Ramanathapuram District
4. The Inspector of Police
Devipattinam Police Station
Ramanathapuram District
5. Nagamuthu@ Sadaiyandi
6. Sathaiyah
7. Balasubramaniyan
8. Sarathi Kumar
9. Dinesh
10. Kishwa
11. Dhanasekaran



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12. Rathinam
13. Vigneshwaran
14. Devaraj
15. Panchanathan
16. Praveen
17. Muniyasamy
18. Pandiyan
19. Krishnasamy

.. Respondents

PRAAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 2 to 4 to take appropriate action against the respondents 5 to 19 on the basis of the communication of first respondent in O.M.COLREV/21504/2024/C2 dated 30.08.2024 and on the basis of the petitioner's representation dated 06.11.2024 in accordance with law within the time stipulated by this Court

For Petitioner	: Mr.S.Ramesh Kumar
For Respondent No.1	: Mr.M.Muthu Manikkam Government Advocate(Crl.Side)
For Respondents No.2 to 4	: Mr.A.Thiruvadikumar Additional Public Prosecutor

ORDER

This Writ Petition has been filed to direct the respondents 2 to 4 to take appropriate action against the respondents 5 to 19 on the basis of the communication of first respondent in O.M.COLREV/21504/2024/C2 dated 30.08.2024 and on the basis of the petitioner's representation dated



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Court

06.11.2024 in accordance with law within the time stipulated by this

2. The petitioner resident of Kulasekarakkal Village earlier sent a representation to the District Collector and Superintendent of police and others complaining against Sathiah @ Manivannan and Subramaniyan for ex-communicating his family members and for the threat exerted on the petitioner.

3. The District Collector had forwarded the petitioner's complaint to the Superintendent of Police who had forwarded the same to the Inspector of Police, Devipattinam Police Station who conducted enquiry on 10.10.2024 took an underatking from the said Sathiah and Balasubramanian not to exert any threat tot he family members of the petitioner and there should be no ex-communication in the village. Recording the same, the complaint was closed. But two weeks prior to 06.11.2024 when the petitioner was in the village the village committee persons and some influential persons in the village around who are respondents 5 to 19 are threatening the , abusing the petitioner and also



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taking steps to reimplement the ex-communication of the family of the petitioner. Hence he has sent a representation on 06.11.2024, no action has been taken, Hence the present petition has been filed.

4. The learned Additional Public Prosecutor submitted that with regard to the earlier complaint dated 04.10.2024 was received by the respondent police in C.No.G3/024553/1859/2024 and enquiry was conducted and on 28.11.2024 and petitioner had appeared and given statement that no further action to be taken. Earlier there was an enquiry on 10.10.2024 and both the petitioner and the counter petitioners were called and both of them gave an undertaking that henceforth that they will leave peacefully without any apprehension of fear. Recording the same, the complaint was closed. As regards the present complaint dated 06.11.2024 the learned Additional Public Prosecutor submitted that it was not received by them. The petitioner also failed to annexe any postal receipts. Further in the representation he makes complaint against one Sathiah and Balasubrmanian and he has also arrayed 12 more villagers as respondents and in total 14 villagers have been shown as respondents in the writ petition. Without any allegation and averments the petitioner



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is in the habit of sending complaint without any materials and now he has filed the present petition, hence it is liable to be dismissed.

5. From the complaint dated 06.11.2024 it is seen that the petitioner narrated the facts on his earlier complaint dated 04.10.2024. Further on the complaint dated 04.10.2024 the petitioner and the counter petitioner were called for enquiry by the respondent police and the counter parties gave an undertaking that there will be no threat and ex-communication, hence the same was closed. In the complaint dated 06.11.2024 it is stated that two weeks prior the petitioner was threatened but objections has been made in the last para of the complaint and there is no details with, how and whom had exerted threat.

6. In view of the same, the Writ Petition stands dismissed. No costs.

12.12.2024

Index: Yes/No
Internet : Yes/No
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5. The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai.



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M.NIRMAL KUMAR, J.

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