



W.P(MD)No.7196 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.03.2025

CORAM

THE HONOURABLE MR.JUSTICE P.DHANABAL

W.P(MD)No.7196 of 2025

Sivashankar

... Petitioner

Vs.

1.The District Collector,
Kanyakumari District.

2.The Superintendent of Police,
Kanyakumari District.

3.The Deputy Superintendent of Police,
Kanyakumari District.

4.The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District.

... 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 to consider petitioner's representation, dated 05.02.2025 and take necessary action for their illegal acts of ex-communication the petitioner from Vaikundapathi Village and pass such other or further orders as this Court.



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For Petitioner : Mr.S.Balaji Nivas
For R-1 : Mr.M.Senthil Ayyanar
Government Advocate
For R-2 to R-4 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

The present petition has been filed for issuance of Writ of Mandamus directing the respondents to consider the petitioner's representation, dated 05.02.2025 and to take necessary action for their illegal acts of ex-communication by the villagers.

2. The learned Counsel appearing for the petitioner would submit that the petitioner is the resident of Vaikundapathi Village and he belongs to Navidar community and majority people of Nadar community are residing in their locality. Therefore, they ex communicated the petitioner and refused to receive Vari (Contribution of money) for the Temple festival. Therefore, he sent a representation to the respondents on 05.02.2025 and the same was not considered. Hence, the petitioner filed this petition.



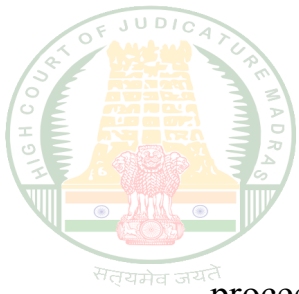
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3. The learned Government Advocate appearing for the first respondent would submit that the petitioner has not submitted any representation to the first respondent and he already sent a representation to the higher authorities and no any representation received by the first respondent. If any representation received, then they will take appropriate action in accordance with law.

4. The learned Additional Public Prosecutor appearing for the respondents 2 to 4 would submit that already the petitioner sent a representation, dated 05.02.2025 and the same was enquired elaborately, at the time of enquiry, the private parties denied the alleged ex communication and no any ex communication as alleged by the petitioner, but the petitioner refused to sign in the enquiry proceedings. Therefore, the said representation of the petitioner was considered and the same was closed after enquiry.

5. The prayer of the petitioner is to consider the representation for the ex communication, as per the respondents 2 to 4 already they conducted enquiry and closed and the petitioner also not signed in the



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proceedings. The first respondent is the competent person to conduct enquiry but no communication was received by the first respondent. Therefore, it is for the petitioner to approach the first respondent with the specific reliefs within a week and if any such request is made by the petitioner, then the first respondent shall conduct enquiry and pass appropriate orders in accordance with law, within a period of four (4) weeks from the date of representation and dispose of the same by affording opportunities to all the interested parties.

6. With the above said observations, this writ petition stands dispose of. There shall be no order as to costs.

18.03.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR

To

1. The District Collector,
Kanyakumari District.



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P.DHANABAL, J.

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