



W.P(MD)No.10393 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.04.2025

CORAM :

THE HON'BLE MR.JUSTICE P.DHANABAL

W.P(MD)No.10393 of 2025

Mohamed Abdullah

... Petitioner

Vs

1. The District Collector,
O/o.District Collectorate Office,
Ramanathapuram,
Ramanathapuram District.

2. The Superintendent of Police,
O/o.Superintendent of Police,
Ramanathapuram District.

3. The Revenue Divisional Officer,
O/o.Revenue Divisional Officer,
Ramanathapuram,
Ramanathapuram District.

4. The Tahsildar,
O/o.Taluk Office,
R.S.Mangalam Taluk,
Ramanathapuram District.

5. The Deputy Superintendent Of Police,
O/o.Deputy Superintendent of Police,
Thiruvadanai,
Ramanathapuram District.



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6. The Inspector of Police,
Thirupalaikudi Police Station,
Ramanathapuram District.

7. Ayyub Athilsha

8. Syed Ibrahim

... 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 2 and 5 to take necessary action against the respondents 7 and 8 based on the petitioner's representation dated 21.01.2025 in respect of excommunication, consequently the respondents to ensure the receive tax from the petitioner.

For Petitioner : Mr.K.Yasar Arafath,

For R1, R3 & R4 : Mr.M.Senthil Ayyanar
Government Advocate

For R2, R5 & R6 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

This Writ Petition has been filed seeking a direction to the respondents 2 and 5 to take necessary action against the respondents 7

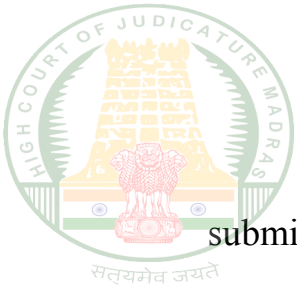


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and 8 based on the petitioner's representation dated 21.01.2025 in respect of excommunication and consequently direct the respondents to ensure the private respondent receive tax from the petitioner.

2.According to the petitioner, there is a family dispute pending between the petitioner and his wife and already, he filed a petition in G.W.O.P.No.72 of 2024 before the Principal District Court, Ramanathapuram. The private respondents are close relatives to the wife of the petitioner and thereby, they excommunicated the petitioner and refused to receive tax from him. Therefore, the petitioner sent the representation dated 21.01.2025, but the same has not been considered. Hence this petition.

3.The learned Government Advocate appearing for the respondents 1, 3 and 4 would submit that based on the complaint lodged by the petitioner, the fourth respondent conducted enquiry. On enquiry, it is found that there is no any excommunication as alleged by the petitioner. There is a family dispute between the petitioner and his wife and in this regard, a petition in G.W.O.P.No.72 of 2024 is also pending before the Principal District Court, Ramanathapuram. He would further



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submit that if any refusal for receiving tax from the petitioner, they will conduct enquiry.

4.The learned Additional Public Prosecutor appearing for the respondent police would submit that they received the petitioner's representation, for which, the sixth respondent conducted enquiry and closed the same. As per the report, there is no any excommunication. Therefore, this petition is liable to be dismissed.

5.Considering the limited scope of the prayer sought for in this petition, this Court, without even issuing notice to the private respondents, is inclined to pass order.

6.According to the petitioner, the private respondents excommunicated the petitioner and failed to receive the tax from him. As per the enquiry conducted by the official respondents, there is no excommunication as alleged by the petitioner and they also filed a copy of the enquiry report.

7.On perusal of the enquiry report, it reveals that no any



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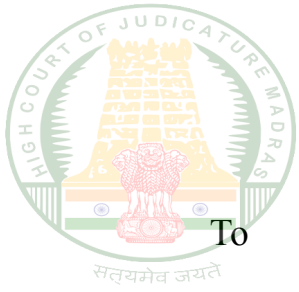
excommunication was done as alleged by the petitioner and the petitioner has not stated about the particulars of the tax. Therefore, the petitioner is at liberty to approach the fourth respondent by giving proper particulars in respect of tax and thereafter, the fourth respondent shall conduct enquiry and pass appropriate order, after affording opportunity to all the interested parties, within a period of one month from the date of this order in accordance with law.

8. With the above direction, this Writ Petition is disposed of.

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

LR



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- 7.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL, J.

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