



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :30.10.2015

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WEB COPY

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P(MD) .No.19785 of 2015

T.Kamalak Kannan

... Petitioner

Vs.

1.The District Collector,
Trichy District,
Trichy.

2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Lalgudi,
Trichy,
Trichy District.

3.The Tahsildar,
Mannachanallur (PO) & (TK),
Trichy,
Trichy District.

4.The Superintendent of Police,
Trichy District,
Trichy.

5.The Inspector of Police,
Siruganur Police Station,
Trichy District.

... Respondents

This Writ Petition has been filed under Article 226 of the Constitution of India praying for a Writ of Mandamus by directing the respondents by considering the petitioner's representation, dated 21.09.2015 and to take appropriate action on the basis of the same, within the time stipulated by this Court.

For petitioner : Mr.M.Pitchai Muthu

For Respondents : Mr.S.Kumar,

Additional Government Pleader

ORDER

The Writ Petition has been filed praying for a Writ of Mandamus directing the respondents by considering the petitioner's representation, dated 21.09.2015 and to take appropriate action within a stipulated time.



2. Mr.S.Kumar, learned Additional Government Pleader takes notice for the respondents.

3. By consent, the Writ Petition itself is taken up for final disposal.

4. In the affidavit it has been averred that the petitioner has been residing at Door No.3-195, North Street, Devimangalam. The petitioner belongs to "Aasari" community and his wife belongs to "Kurumbagoundar" community. Since the marriage is a inter-caste marriage and the petitioner is belonging to oppressed community, the residents of village did not permit the petitioner and his wife to enter into the village and a fine of Rs.700/- was imposed on them. After paying the said amount of Rs.700/- they are permitted to enter into the village. There is a temple called Mariyamman temple and every year village people used to conduct Karthigai festival. During the year 2013, the temple authority prevented the petitioner and his family members to participate in the said festival and hence, the petitioner filed W.P(MD)No.18369 of 2013, in which this Court vide order, dated 14.11.2015, directed the temple authorities to receive tax from the petitioner and permit the petitioner and his family members to take part in the temple festival. In the meantime, there is a vinayagar temple in the above said village and every year, during the said temple festival the administrators used to collect tax for the festival. But, in the year 2015, the administrators refused to receive tax from the petitioner. In this regard, the petitioner has made a representation before the first respondent on 21.09.2015. Since the same was not considered so far, the petitioner has come forward with the present Writ Petition for the above stated relief.

5. Considering the submissions made by the learned counsel appearing for the petitioner, without going into merits of the claim made by the petitioner, this Court directs the petitioner to give a copy of the representation, dated 21.09.2015 to the third respondent within a period of one week from the date of receipt of a copy of this order and on receipt of the same, the third respondent is directed to consider the same and pass appropriate orders, on merits and in accordance with law, by affording an opportunity of hearing to all the necessary parties. It is made clear that this Court has not expressed any opinion on the merits of the claim made by the petitioner and it is for the third respondent to consider the same purely on merits.

With the above direction, the Writ Petition is disposed of. No Costs.

Sd/-

Assistant Registrar(Crl.Side)

/True Copy/

Sub-Assistant Registrar



To

- 1.The District Collector,
Trichy District,
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- 4.The Superintendent of Police,
Trichy District,
Trichy.
- 5.The Inspector of Police,
Siruganur Police Station,
Trichy District.

+One cc to The Special Government Pleader, SR.No.64277

+One cc to the Mr.M.Pitchai Muthu, Advocate, SR.No.64375

pm

RL/8c/PM/3/12/2015

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