

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

MONDAY, THE 13TH DAY OF JULY 2015/22ND ASHADHA, 1937

WP(C).No. 21030 of 2015 (C)

PETITIONER(S) :

1. SAI DAS AGED 49 YEARS
S/O BALASUBRAMANIAN , DEVI NIVAS, PRIYADARSHINI NAGAR
PUTHUR, PALAKKAD

2. MAJU KURIAN,
S/O KURIAN PAUL, THACHAYATTUKUDIYIL HOUSE, VALLIYODE
PALAKAD

3. V. BALABHADARAN
S/O VELLA, KIZHAKEVEEDU, KANDANAKALIPOTTA
VALLIYODE, PALAKKAD

BY ADV. SRI.P.SATHISAN

RESPONDENT(S) :

1. SUB INSPECTOR OF POLICE
VADAKKENCHERRY, PALAKKAD

2. CIRCLE INSPECTOR OF POLICE
VADAKKENCHERRY POLICE STATION. PALAKAD

3. UNNIKRISHNAN
PALACKAL HOUSE, THRIKKADDEERI, VEERAMANAGALAM PO
CVHERUPULASSERRY, THRISSUR

4. MURALI K.R
KALLEPDAM HOUSE, KINAVALLLOOR, PARALI PO
PALAKAD

5. MANOJ
ANJANAM MYLE, PARALI PO PALAKKAD

R1 AND R2 BY STATE ATTORNEY SRI.P.VIJAYARAGHAVAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
13-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 21030 of 2015 (C)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P1: COPY OF THE TRUST DEED REGISTERED WITH ALATHOOR SUB REGFISRY
DT. 24/5/1995 ALONG WITH COPY OF MINUTES OF THE MEETING OF TRUST
BOARD APPOINTING PETITIONERS 2 & 3 AS TRUSTEES

EXT.P2: COPY OF THE ORDER ISSUED BY THE ASSISTANT COLLECTOR PALAKKAD
FOR PUTTING UP THE WORSHIP CENTER

EXT.P3: COPY OF COMPLAINT BEFORE RESPONDENT 1 AND 2 BY THE
PETITIONERS AND OTHER WORSHIPERS DT. 4/7/15 WITH TRANSLATION

EXT.P3(A): COPY OF COMPALAINIT BEFORE RESPONDENT 1 ANSD 2 BY THE
PETITIONERS DT. 9/7/15 WITH TRANSLATION

EXT.P3(B): COPY OF COMPLAIANT BEFORE RESPONDENT DT. 4/7/15 WITH
RECEIPT WITH TRANSLATION

RESPONDENT(S) ' EXHIBITS

NIL

/TRUE COPY/

PS TO JUDGE

**ASHOK BHUSHAN, CJ
&
A.M.SHAFFIQUE, J**

W.P.(C).No. 21030 of 2015

Dated this the 13th July, 2015

JUDGEMENT

Shaffique, J.

Petitioners have approached this Court alleging that certain obstructions are being created by respondents 3 to 5 in the matter relating to prayers being conducted in a worship centre, which has been in existence since 1978 under the name and style 'Immanuel Church'.

2. The learned State Attorney, on instructions, would submit that the petitioners' apprehension was that a demonstration was proposed to be conducted by certain persons in the locality. Reference is made to Exhibit P3(b) complaint, in which the petitioners apprehended that law and order situation may arise during the mass being conducted on 5.7.2015. According to the petitioners, if any such demonstration is conducted, it will prevent the participants from attending the prayer. The learned State

Attorney further submits that the Police personnel were present during the said period and no untoward incident was reported. There was a small dharna, but they have not created any law and order situation by which the prayer was disturbed in any manner. The learned State Attorney further submits that even the last Sunday prayer was conducted as usual and the Police personnel were available to ensure law and order.

3. Having regard to the aforesaid factual situation, we do not think it necessary to issue any direction as prayed for. If there is any further obstruction from the side of the party respondents, it shall always be open for the petitioners to seek assistance of the Police, which request shall be looked into and the needful be done. The Writ Petition is closed.

**ASHOK BHUSHAN
CHIEF JUSTICE**

**A.M.SHAFFIQUE
JUDGE**

vgs14/7/15