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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2013

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

W.P.(MD)No.7180 of 2013 and M.P.No.1 of 2013

Tamil Evangelical Lutheran Church,
Represented by Secretary,
E.D.Charles,
Tranquebar House,
Trichirappalli - I.

: Petitioner

Vs.

1.The Commissioner of Police,
Trichy City, Trichy.

2.The Inspector of Police,
Law and Order, Palakarai Police Station,
Palakarai, Trichirappalli 620 001.

3.Justice Mr.J.Kanagaraj,
The Administrator,
Tamil Evangelical Lutheran Church,
Tranquebar House, Trichirappalli 1.

4.Rev.Dr.H.A.Martin,
Bishop, Tamil Evangelical Lutheran Church,
Tranquebar House,
Trichirappalli 1.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for the issue of a Writ of Mandamus directing the respondents 1 and 2 to grant police protection for the Synod/General Body Meeting in respect of election of Church Council Members for the triennium 2013 - 2016 to be held on 2,3 and 4 of May 2013 in the presence of the third respondent at Tranquebar House, Trichirappalli and consequently consider the representation dated 10.04.2013.

For Petitioner : Mr.P.Arun Jayatram

For Respondents 1&2 : Mr.Aaiyram K.Selvakumar
Government Advocate

O R D E R

The petitioner seeks a Writ of Mandamus directing the Commissioner of Police, Trichy, to grant police protection for conducting the election to the Tamil Evangelical Lutheran Church, scheduled to be held from 02.05.2013 to 04.05.2013 at Tranquebar House, Trichirappalli.

2. According to the petitioner, the election to the Tamil Evangelical Lutheran Church is scheduled to be held from 02.05.2013 to 04.05.2013. The third respondent is the Administrator of Tamil



Evangelical Lutheran Church. The election would be conducted under the supervision of the Administrator. The petitioner apprehends that there would be a law and order problem in connection with the election, and as such, he wanted a direction to respondents 1 and 2 to give sufficient protection.

3. The learned counsel for the petitioner contended that the third respondent has already given an application before the second respondent to give sufficient police protection for the smooth conduct of election.

4. The petitioner is only the Secretary of Tamil Evangelical Lutheran Church. The third respondent is now administering the affairs of the Tamil Evangelical Lutheran Church. The third respondent, who is a former Judge of this Court, is having authority to conduct the election. It is for the third respondent to approach the respondents 1 and 2 for giving police protection in connection with the election.

5. The third respondent is permitted to make an application before the Commissioner of Police, Trichy, for giving police protection for conducting the election scheduled to be held from 02.05.2013 to 04.05.2013. In case any such application is made, the same shall be considered by the first respondent and sufficient police protection should be given to ensure that the election is conducted in a peaceful manner.

6. The Writ Petition is disposed of with the above direction. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(Crl.Side)

/rue Copy/

Sub Assistant Registrar

To

1.The Commissioner of Police,
Trichy City, Trichy.

2.The Inspector of Police,
Law and Order, Palakarai Police Station,
Palakarai, Trichirappalli 620 001.

+1cc to Mr.P.Arun Jayatram, Advocate, Sr.No.24220

ORDER MADE IN
W.P. (MD) No.7180 of 2013

nb

SMA/30/04/2013/4C/2P