

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

TUESDAY THE SIXTH DAY OF OCTOBER
TWO THOUSAND AND FIFTEEN

PRESENT
HONOURABLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION NO. 32306 OF 2015

-

Between:

St. Emmanuel Lutheran Church
Rep. by its Pastor,
Rev.K. Abbulu,
Ankalagudem h/o Bodigudem Panchayat
Koyyalagudem Mandal,
West Godavari district. ... Petitioner

Vs.

The Station House Officer

Koyyalagudem,

West Godavari district & Ors. ... Respondents

Counsel for the Petitioner: Sri G. Rama Gopal

Counsel for the Respondents: GP for Home [AP]

The Court made the following: [order follows]

HONOURABLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION NO. 32306 OF 2015

-

ORDER :

This writ petition is filed under Article 226 of the Constitution of India for the following relief :

“To declare the action of the respondents in seizing the petitioner Church Emmanuel Lutheran Church, Ankalagudem under the guise of order dated 26/9/2015 passed by the third respondenet as illegal, arbitrary and violative of the principles of natural justice and the

Constitution of India, and consequently to direct the respondents 1, 3 and 4 to remove the locks of the church namely St. Emmanuel Lutheran Church forthwith so as to allow the devotees to offer their prayer to Lord Jesus in the interest of justice and to pass such other suitable orders as this court may deem fit and proper in the circumstances of the case.”

2. Heard Sri G.Rama Gopal, learned counsel for the petitioner and the learned Government Pleader for Home for the respondents.

3. When the matter is called, written instructions dated 05/10/2015 furnished by the Sub-Inspector of Police, Koyyalagudem, West Godavari district have been placed on record by the learned Government Pleader for Home for the respondents.

3. The written instructions, reads as under:

“ It is respectfully submitted that some social elements may likely to indulge in violent acts and may lead to communal riot and also may cause breach to public peace and tranquility in the village of Ankalgudem of Koyyalagudem Mandal on the forthcoming annual celebrations for the period from 27/9/2015 to 30/09/2015 of St. Immanuel Lutheran Church. In this above circumstances, the respondent Tahsildar and Executive Magistrate, Koyyalagudem issued proceedings vide RC.No.501/2015 [A] stating that to issue order under section 144 Cr.P.C. in and around the above said church premises to prevent law and order problem and the same will be continued till 10/10/2015.

It is further submitted that as per the orders of the MRO the respondent police issued under section 144 Cr.P.C. in and around the church premises. Except that the respondent police never seized the church and never locked the church as alleged by the petitioner, hence the allegations are false and baseless and denied.”

4. On noticing the same, the learned counsel for the petitioner has requested this court to dispose of the writ petition by recording the said written

instructions.

5. In view of the above, the writ petition is disposed of by recording the above instructions furnished by the Sub-Inspector of Police, Koyyalagudem Police Station, West Godavari district. No costs.

6. As a sequel, miscellaneous petitions if any, pending in this writ petition shall stand closed.

JUSTICE A.V.SESHA SAI

06/10/2015

I s L

HONOURABLE SRI JUSTICE A.V. SETHA SAI

-

-
-
-
-
-
-
-
-

—

Date:06/10/2015

Circulation No.

Court Master: I s L