

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

Writ Petition No.36436 of 2012

Date: 30-09-2015

Between:

Ch. Abraham

.... Petitioner

AND

The Principal Secretary, Revenue Department,

A.P. Secretariat, Hyderabad and 3 others

.... Respondents

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

Writ Petition No.36436 of 2012

ORDER:

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Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue. With the consent of both parties, the writ petition is heard at the admission stage itself.

The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of the respondents in trying to demolish "Amen Church" situated in Plot No.69, Survey No.326, 329 bearing No.22-37/126/1A, Shameerpet Mandal, Ranga Reddy District without following due process of law and without issuing any notice to the petitioner Church, as illegal and arbitrary.

The case of the petitioner is that they have constructed a temporary church by name Amen Church with thatched roof in Plot No.69, which was gifted by the

owner of the property and they started the services of the church in the year 2000 by performing prayers. It is stated that the petitioner, after obtaining permission from the Gram Panchayat, constructed a church and they have been paying taxes regularly. It is also stated that the respondent authorities have visited the church premises on 21-11-2012 with men and machinery and tried to demolish the same without issuing any notice or following due process of law. The petitioner made a representation on 22-11-2012 to the District Collector, Ranga Reddy requesting him to stop demolition of the church as it is catering into the religious needs of the members of the church. Being aggrieved by the said inaction of the respondent authorities, the present writ petition came to be filed.

The main ground, which urged is that without following due process of law, the respondent authorities are trying to demolish the church constructed in Plot No.69, Survey No.326, 329 bearing No.22-37/126/A, Shameerpet Mandal, Ranga Reddy District. Learned counsel for the petitioner represented that the land where the church is constructed is a private land and the action of the respondents is highly illegal and improper. On the other hand, the learned Government Pleader for Revenue would submit that the said land is Government land and by encroaching into the same, the church was constructed.

Without going into the merits of the case and having regard to the circumstances stated above, the writ petition is disposed of directing the respondents to follow the due process of law before taking any steps for demolition of the church. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

C. PRAVEEN KUMAR, J

Date: 30-09-2015

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