

THE HON'BLE SRI JUSTICE A.V. SESA SAI

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WRIT PETITION No.40166 OF 2012

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ORDER:

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

“to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents 3 and 4 in not taking any action on the representation of the petitioner dt.7-12-2012 and 10-12-2012 for allowing the petitioner Church to carryout prayers in the church Emmanuel Prayer House, Plot No.42, Hanuman Nagar, Sai Nagar, Road No.1, L.B.Nagar, Hyderabad as illegal, arbitrary and against the principles of natural and being violative of Fundamental right to practice religion and violative of Articles 14 and 25 of the Constitution of India

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2. When the matter is called today, written instructions dated 03.01.2013, furnished by the Sub-Inspector of Police, L.B.Nagar Police Station, Cyberabad, have been placed on record by the learned Government Pleader for Home and the said instructions read as under:

“It is true that the petitioner herein i.e., A.Yesupadam, Pastor of Emmanuel Prayer House, had lodged a complaint on 07.12.2012 with the Inspector of Police, L.B.Nagar P.S. Cyberabad, stating that the neighbours have abused the Church Members in filthy language, so he requested the police to permit them to do prayers.

It is submitted that, pursuant to the said complaint, the Inspector of Police, L.B.Nagar made the above petition G.D.entry and endorsed to the Sub-Inspector of Police Sri K.Sudhakar of LB Nagar PS for necessary action.

Basing on the said endorsement, I, K.Sudhakar, Sub-Inspector of Police, LB Nagar PS enquired the matter in detail and it was revealed that:-

1. *Sri A.Yesupadam, Pastor of Church is running a Church in the 1st floor of his house bearing plot No.42, Hanuman nagar, Sainagar, LB Nagar. The Church is Located in the midst of the houses of Hindu religion people. Church father is running the above Church illegally without obtaining necessary permission from Higher authorities.*
2. *The residents of the colony have also given petitions against this Church on 05.12.2012.*
3. *The neighbours of the Church never obstructed them and they only objected the activities of the Church like playing of sound boxes with huge sounds etc., without Obtaining permission.*

The Police advised both the parties to maintain restraint and a close watch is being maintained in the locality by patrolling. Further the Church father was advised to obtain necessary permission from the competent authority to run the Church. Presently there is no disturbance of the neighbours with regard to the prayers.”

3. On noticing the said instructions, learned counsel for the petitioner requested this court to dispose of the writ petition by recording the written instructions.
4. In view of the above, writ petition is disposed of, by recording the written instructions dated 03.01.2013, furnished by the Sub-Inspector of Police, L.B.Nagar Police Station, Cyberabad.
5. Miscellaneous petitions pending consideration, if any, in the Writ Petition shall stand closed in consequence. No order as to costs.

A.V.SESHA SAI, J

08th December, 2015

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