

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2016

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.43292 of 2016

G.Mathew

... Petitioner

Vs

1. The District Collector cum
District Magistrate,
Villupuram District, Villupuram.
2. The Superintendent of Police,
Villupuram District, Villupuram.
3. The Revenue Divisional Officer,
Thirukoilur, Villupuram District.
4. The Arch Bishop, Arch Bishop's House,
Mission Street, Puthucherry.
5. The Parish Priest,
Jebamalai Madha Church, Eraiyur,
Uludurpet Taluk, Villupuram District.
6. V.S.Aseervatham
7. M.C.Arockiya Dass

... Respondents

Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining the impugned order in Mu.Mu.C1/19182/2014 dated 27.06.2016 passed by the 1st Respondent herein and quash the same as illegal so far as the petitioner is concerned and direct the 2nd Respondent to provide Adequate Police Protection to take the festival car processions of the Jebamalai Matha Church, Eraiyur Village, Ulundurpet Taluk, Villupuram District taking the processions through Vadakurumbur Road up to the Assisi Hospital in addition to the customary route during the dates and periods of Eucharistic Procession and St. Antony festival procession in June, Assumption of Mother Mary on 15th August, Our Lady of Rosary on 7th October, Infant Jesus on 25th December and annual festival of the Church and grand car procession in May of every year, as

approved by the Arch Bishop of Puthucherry and Cuddalore, to secure the ends of justice.

For Petitioner : Mr.R.Sankarasubbu

For Respondents : Mr.C.Emalias,
Additional Public Prosecutor
for R1 to R3

O R D E R

This writ petition has been filed to quash the impugned order passed by the first respondent on the ground that the said order curtails the right to worship and also for a direction to provide police protection to conduct festival car processions of the Church in question.

2.When this writ petition was taken up, the learned counsel for the petitioner submits that both the rival parties amicably settled their disputes and subsequently the petitioner made a representation dated 22.11.2016 to the first and second respondents. The learned counsel further submitted that a direction may be issued to the second respondent to consider the said representation and pass appropriate orders within a time frame.

3.The learned Additional Public Prosecutor submitted that there are certain criminal cases levelled against the parties and the same are pending.

4.Considering the facts and circumstances of the case and also in the interest of justice, the second respondent is directed to consider the representation of the petitioner dated 22.11.2016 and pass appropriate orders on merits and in accordance with law, after due notice to the concerned parties, within a period of ten days from the date of receipt of a copy of this order.

5.The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

KM

To

1. The District Collector cum
District Magistrate,
Villupuram District, Villupuram.
2. The Superintendent of Police,
Villupuram District, Villupuram.
3. The Revenue Divisional Officer,
Thirukoilur, Villupuram District.
4. The Public Prosecutor,
High Court, Madras.

+2cc's to Mr.R.Sankarasubbu, Advocate, S.R.Nos.73098 & 74828

W.P.No.43292 of 2016

GJ II(CO)
CA(28/12/2016)



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