



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.06.2017

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THE HON'BLE MR.JUSTICE P.N.PRAKASHW.P.(MD) No.23341 of 2016 and
W.M.P.(MD) Nos.16773 & 16774 of 2016Jesus Redeems
Through its Trustee
Dr.R.Anburajan,
Nalumavadi,
Thoothukudi District.

... Petitioner

-vs-

1. The Superintendent of Police,
Tirunelveli District, Tirunelveli.
2. The Deputy Superintendent of Police,
Alangulam, Tirunelveli District.
3. The Inspector of Police,
Surandai, Tirunelveli District.
4. The Tahsildar,
Veerakeralampudhur,
Tirunelveli District.

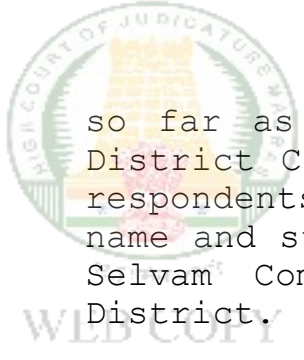
... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Certiorarified Mandamus, calling for the records relating to the impugned order 22.11.2016 passed by the second respondent and the consequential impugned order bearing Na.Ka.A2/143/2016 dated 25.11.2016 passed by the 4th respondent in so far as it directs the petitioner to get permission from the District Collector and quash the same and consequently direct the respondents to allow the petitioner to conduct counselling in the name and style of Gethsemane prayer Centre in the Shop situated at Selvam Complex, Surandai, Veerakeralampudur Taluk, Tirunelveli District.

For Petitioner : Mr.K.Samidurai
For Respondents : Mr.T.S.Mohammed Mohideen,
Addl. Govt. Pleader

O R D E R

This petition has been filed, seeking to call for the records
<https://hcservices.mca.gov.in/hcservices/> impugned order 22.11.2016 passed by the second
respondent and the consequential impugned order bearing
Na.Ka.A2/143/2016 dated 25.11.2016 passed by the 4th respondent in



so far as it directs the petitioner to get permission from the District Collector and quash the same and consequently direct the respondents to allow the petitioner to conduct counselling in the name and style of Gethsemane prayer Centre in the Shop situated at Selvam Complex, Surandai, Veerakeralampudur Taluk, Tirunelveli District.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents.

3. It is seen that this petitioner was running a cassette / C.D sales shop along with religious books in the shopping complex by name Selvam Complex, Surandai, Veerakeralampudur Taluk, Tirunelveli District and that he has started conducting religious mass within the shop, which was objected to by the locals, as it was causing great inconvenience to other shopkeepers in the complex.

4. The 2nd respondent, on coming to know that the petitioner is intending to open a prayer hall in the said premises without obtaining necessary permission from the authorities, had passed an order dated 22.11.2016 refusing to give permission to open the prayer hall. Subsequently, the Tahsildar conducted a Peace Committee Meeting, in which the petitioner had agreed that he will not conduct any mass or use the shop premises as a prayer hall and that he would only sell cassettes, C.Ds. and religious books without causing inconvenience to anyone. At the end of the Peace Committee Meeting, it was resolved that the petitioner shall not conduct any mass in the said premise without obtaining necessary permission from the authorities and that they can sell their cassettes, C.Ds. and religious books in the shop. Challenging both the order of the 2nd respondent dated 22.11.2016 and the minutes of the Peace Committee Meeting dated 25.11.2016, the petitioner is before this Court.

5. On a reading of the order dated 22.11.2016 and the minutes of the Peace Committee Meeting dated 25.11.2016, this Court does not find any infirmity warranting interference by this Court. Admittedly, the petitioner is running a shop in a shopping complex, in which he has been selling cassettes, C.Ds. and religious books and there can be no objection for this. However, when the petitioner wants to convert his shop into a prayer hall and conduct mass therein, it will undoubtedly alter the character of the whole premises and would cause serious disturbance to the neighbouring shopkeepers in the same place.

6. At this juncture, learned counsel for the petitioner <https://hcmis.courts.mv.in/tcases/> submits that the petitioner has no intention for running a prayer hall or conduct mass in the said premises.



7. Recording the submission of the learned counsel for the petitioner, this petition is closed with further direction that the petitioner shall not use the said shop for such purpose and that he may peacefully conduct his business of selling cassettes, C.Ds. and religious books. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CSII)

/True Copy/

Sub-Assistant Registrar

To:

1. The Superintendent of Police,
Tirunelveli District, Tirunelveli.
2. The Deputy Superintendent of Police,
Alangulam, Tirunelveli District.
3. The Inspector of Police,
Surandai, Tirunelveli District.
4. The Tahsildar,
Veerakeralampudhur,
Tirunelveli District.

+One cc to Mr.K.Samidurai, Advocate, SR.No.61588

One cc to The Special Government Pleader, SR.No.61205

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RL/7C/2P/SKN/RSK/SAR1/30/6/2017

W.P. (MD) No.23341 of 2016