



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 13.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
and
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD) No.17899 of 2018
and
WMP(MD) Nos.15775 to 15777 of 2018

T.Rajapandian ... Petitioner

vs.

1.The Collector,
The Collectorate,
Thoothukudi, Thoothukudi District.

2.The Tahsildar,
Taluk Office, Thiruchendur,
Thoothukudi District.

3.The Bishop,
Thoothukudi-Nazareth CBI Diocese,
Thoothukudi, Thoothukudi District.

4.Pastorate Chairman,
CSI Church,
Nazareth, Thiruchendur Taluk,
Thoothukudi District.

... Respondents

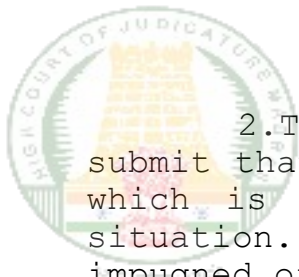
Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for records relating to the order passed by the 1st respondent in Na.Ka.C2/5242/2017 dated 26.7.2018 and quash the same.

For Petitioner : Mr.B.Rajesh Saravanan
For R1 & R2 : Mr.A.K.Baskarapandian
Special Government Pleader

ORDER

[Order of the Court was made by M.M.SUNDRESH, J.]

The petitioner claiming to be the President of Arulmigu Katteri Adum Perumal Kovil Paribalana Committee has come forward to file this writ petition challenging the order of no objection issued by the first respondent for the construction of Church.



2.The learned counsel appearing for the petitioner would submit that permitting a Church to be constructed nearby the temple which is already in existence, certainly creates law and order situation. There is already a Church is in existence. Thus, the impugned order requires interference.

3.We do not find any merit in this writ petition. A perusal of the impugned order would show that the first respondent had considered all the materials and after following due procedure. He has also heard different persons including the local people. After satisfying that there will not be any law and order problem, no objection was granted. Once such satisfaction is arrived at based upon the materials, this Court is not expected to re-assess it by replacing it with its own view. Further, the petitioner, merely because happened to be the President of a Committee cannot object to the construction of a Church in a nearby area. This writ petition has been filed on mere surmise and conjecture. The law and order situation is the concern of the first respondent who did take into consideration of it, while granting no objection. Thus, we do not find merit from any perspective to interfere with the order passed by the first respondent.

4.The Writ Petition is dismissed accordingly. No costs. Consequently, WMP(MD)Nos.15775 to 15777 of 2018 are closed.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar(CS-IV)

To:

1.The Collector,
The Collectorate,
Thoothukudi,
Thoothukudi District.

2.The Tahsildar,
Taluk Office,
Thiruchendur,
Thoothukudi District.

+1CC to Mr.B.Rajesh Saravanan, Advocate, SR.No. 78375
+1CC to the Special Government Pleader SR.No.78833

W.P. (MD) No.17899 of 2018
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