



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2019

CORAM:

THE HONOURABLE **MR. JUSTICE N. SESHASAYEE**

W.P. (MD) No.6758 of 2019

WEB COPY

A.Paulraj

: Petitioner

Vs.

1.The Superintendent of Police,
Dindigul District, Dindigul.

2.The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul District, Dindigul.

3.Anthoshskinnar

4.Thomas Anthony Cruse

5.Albert

6.D.Pichai Arockiyam

7.S.Esakku

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, seeking a Writ of Certiorarified Mandamus, to call for the records pertaining to the order passed by the second respondent dated 28.02.2019 and set aside the same as illegal and consequently, direct the respondents 1 and 2 to accord permission and protection for Karattu Thomayar St. Thomas Church annual festival from 03.05.2019 to 05.05.2019 situated at a mount near Thomayarpuram, Dindigul District based on the petitioner's representation dated 23.02.2019.

For Petitioner

: Mr.R.Nandhakumar

For R-1 and R-2

: Mrs.S.Bharathi,

Government Advocate (Crl.Side)

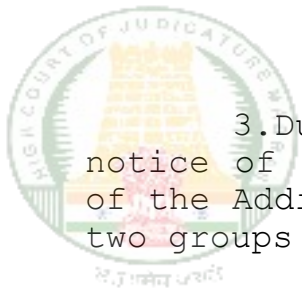
For R-3 to R-7

: Mr.M.S.Jeyakarthick

ORDER

The dispute between two sets of Christians residing in two different villages, namely, Sirunayakkanpatti and Adiyanoothu over right to conduct festival / celebrations in Karattu Thomayar St. Thomas Church. The church originally started as Chapel and later, it was developed into one Church.

2.The learned counsel for the petitioner submitted that this Church does not belong to the villagers in Sirunayakkanpatti village and the Bishop only takes responsibility for holding regular services in the Church Administration, and other aspects i.e., the responsibility involved in management of the Church, conducting festival etc., belong to the villagers.



3. During the course of the argument, it is brought to the notice of this Court that a suit in O.S.No.202 of 2017 on the file of the Additional District Munsif Court, Dindigul is pending between two groups of villagers over right to conduct festival etc.

4. The learned counsel appearing for the petitioner submitted that till 2015, there was no obstruction from anybody and the villagers of the Sirunayakanpatti have been conducting festival peacefully from 2015. Thereafter, they face obstruction from the villagers of Adiyanoothu Village, Thomayarpuram.

5. In view of that fact, the larger dispute between two rival groups is pending before the Additional District Munsif Court, Dindigul in the aforesaid suit, it is important the matter is resolved by the Civil Court. Therefore, this Court is not inclined to set aside the order of the second respondent. However, this Court directs the learned Additional District Munsif, Dindigul to try and dispose of O.S.No.202 of 2017, within a period of six months from the date of receipt of a copy of this order.

6. Accordingly, this Writ Petition is closed. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Additional District Munsif,
Dindigul.

2. The Superintendent of Police,
Dindigul District, Dindigul.

3. The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul District, Dindigul.

+1 CC to Mr.A.ARUL JENIFER, Advocate SR-63150.

+1 CC to Mr.M.S.JEYAKARTHIK, Advocate SR-63650.

W.P. (MD) No. 6758 of 2019
26.04.2019

CS: (13/06/2019) 2P 6C