



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.11.2019

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THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P.(MD) No.17601 of 2019

and

W.M.P(MD) No.14075 of 2019

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... Petitioner

-Vs-

1.The Superintendent of Police,
Nagercoil, Kanyakumari District

2. The Deputy Superintendent of Police
Nagercoil
Kanyakumari District.

3. The Inspector of Police
Asaripallam Police Station
Kanyakumari District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, forbearing the 2nd and 3rd respondent and their subordinates from disturbing the prayer meetings of the petitioner being held in Door No.6/93K-J, M.S.Road, Parvathipuram, Nagercoil.

For Petitioner : Mr.K.P.Narayanakumar

For Respondents : Mr.K.Suyambulinga Bharathi,
G.A., (Crl. Side)

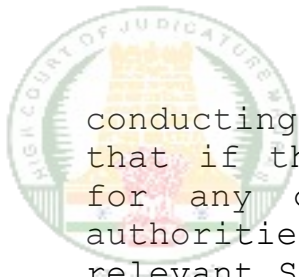
ORDER

This petition has been filed for issuance of a writ of mandamus, forbearing the 2nd and 3rd respondent and their subordinates from disturbing the prayer meetings of the petitioner being held in Door No.6/93K-J, M.S.Road, Parvathipuram, Nagercoil.

2.The learned counsel for the petitioner has submitted that the petitioner is the owner of the house situated in Re.Sy.No.752-1A1B situated at Parvathipuram, Nagercoil District and he used to have prayer in his house. But, the second and third respondents are preventing the petitioner from conducting prayers in his house.

3.The learned Additional Public Prosecutor has submitted that the petitioner was not subjected to any harassment.

4. This Court in W.P(MD).No.10782 of 2006 has held that there is no need to get prior permission from any authority for



conducting prayers in a dwelling house. Further it was observed that if there is any nuisance caused due to noise pollution or for any other *bona fide* reasons, it is always open to the authorities to take necessary action under the provisions of the relevant Statutes.

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5.In this case, there is no dispute that the house situated in Door No.6/93K-J, M.S.Road, Parvathipuram, Nagercoil, belongs to the petitioner herein and that being so, the respondent police should not interfere with the prayer being conducted in his dwelling house and also should not harass him under the guise of enquiry.

6.With the aforesaid observation, the Writ Petition is disposed of. No Costs. Consequently connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (AS)

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Sub Assistant Registrar (CS)

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To

1.The Superintendent of Police,
Nagercoil, Kanyakumari District

2. The Deputy Superintendent of Police
Nagercoil
Kanyakumari District.

3. The Inspector of Police
Asaripallam Police Station
Kanyakumari District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.K.P. NARAYANA KUMAR, Advocate (SR-101390[F] dated 26/11/2019)

W.P.(MD) No.17601 of 2019
25.11.2019

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