



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **29.08.2019**
CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD)No.18686 of 2019

A.Yosuva @ Murugan

... Petitioner

-Vs-

1.The District Collector,
Tirunelveli District.

2.The Superintendent of Police,
Tirunelveli District.

3.The Tahsildar,
Kadayanallur Taluk,
Tirunelveli District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the first respondent to take action to approve the prayer house which is situated in S.No.964/4&5 belongs to Yakkobu CSI Church, Kadayaalurutti, Tirunelveli District, as a church and ensure the safety of worshippers by considering the petitioner's representation dated 01.07.2019.

For Petitioner : Mr.KR.Singaravadivel
For Respondents : Mr.M.Rajarajan
Government Advocate

ORDER

The prayer in this writ petition is for a Writ of Mandamus, to direct the first respondent to take action to approve the prayer house, which is situated in S.No.964/4&5 belongs to Yakkobu CSI Church, Kadayaalurutti, Tirunelveli District, as a church and ensure the safety of worshippers by considering the petitioner's representation, dated 01.07.2019.

2.Heard Mr.KR.Singaravadivel, learned counsel appearing for the petitioner and Mr.M.Rajarajan, learned Government Advocate appearing for the respondents.

3.With the consent of both sides, this writ petition is being disposed of at the admissions stage itself.



4.The petitioner, in order to get permission/approval from the first respondent for the prayer house established by the petitioner and others, made a representation to the first respondent on 01.07.2019 and in this regard, the learned counsel for the petitioner submitted that, if the said representation pending before the first respondent is considered and decided on merits, the petitioner would be satisfied.

5.I have heard Mr.M.Rajarajan, learned Government Advocate appearing for the respondents, who would submit that, the representation of the petitioner, dated 01.07.2019 would be considered and decided on merits, of course after hearing the petitioner as well as the objectors/rival claimants, within a time frame to be stipulated by this Court.

6.Considering the limited scope of the prayer sought for herein, this Court is inclined to dispose of this writ petition with the following directions:-

"that the first respondent is hereby directed to consider the representation of the petitioner, dated 01.07.2019 and pass orders thereon, on merits and in accordance with law, after hearing the petitioner as well as the objectors/rival claimants, if any. Accordingly, final order shall be passed by the first respondent, within a period of six weeks from the date of receipt of a copy of this order."

7.With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (crl.side)

// True Copy //

Sub Assistant Registrar(CS)

rmk

To

1.The District Collector,
Tirunelveli District.

2.The Superintendent of Police,
Tirunelveli District.



3.The Tahsildar,
Kadayanallur Taluk,
Tirunelveli District.

+1 CC to Mr.KR.SINGARAVADIVEL, Advocate (SR-84124[F] dated
29/08/2019)

+1 CC to SPL GP (SR-84628[F] dated 30/08/2019)

W.P. (MD) No.18686 of 2019
29.08.2019

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