



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.10.2020

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P(MD).No.14117 of 2020

R.Edwin Joseph William

.. Petitioner

Vs.

1.The District Collector,
Collectorate, Trichy.

2.The Tahsildar,
Office of Tahsildar,
Musiri, Trichy District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, directing the 2nd respondent to grant permission for erection of Church building based on petitioner's representation, dated 18.09.2020, within the time limit as fixed by this Court.

For Petitioner	:	Mr.S.Veerapandiselvaraj
For Respondents	:	Mr.C.Ramar, Additional Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the 2nd respondent to grant permission for putting up a Church building at Musiri (East Village), Thuraiyur Road, Trichy District, comprised in S.No.9/1S3.

2.Heard Mr.S.Veerapandiselvaraj, learned counsel for the petitioner. Mr.C.Ramar, learned Additional Government Pleader, accepts notice on behalf of the respondents.

3.By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

4.It is the contention of the petitioner that South India Assemblies of God Tamil District Council, which is a society, registered under the Societies Registration Act, is the owner of the property comprised in S.No.9/1S3, situated at Musiri (East Village), Thuraiyur Road, Trichy District. The petitioner claims to be the power agent of the aforementioned society. According to him, he applied for permission with the respondents to construct a Church in the aforementioned address on 18.09.2020. According to him, the said application has not been considered by the second respondent till date. It is also his contention that as per G.O.Ms.Nos.66 of 1993, dated 23.02.1993 & 89 of 1999, dated 13.05.1999, the application seeking permission to put up a Church will have to be to



considered within the time fixed under the aforementioned Government orders. Since the same has not been considered, the petitioner has filed this writ petition.

5.No prejudice will be caused to the respondents, if the representation dated 18.09.2020, submitted by the petitioner for construction of a Church in S.No.9/1S3, situated at Musiri (East Village), Thiraiyur Road, Trichy District, is considered by them on merits and in accordance with law. The petitioner has also enclosed the copy of the sale deed, by which South India Assemblies of God Tamil District Council has purchased the property on 28.11.2019. The copy of the representation dated 18.09.2020, given to the respondents for putting up a Church has also been enclosed in the typed set of papers filed by the petitioner before this Court.

6.For the foregoing reasons, this Court directs the second respondent to consider the petitioner's representation dated 18.09.2020, seeking permission to put up a Church in S.No.9/1S3, situated at Musiri (East Village), Thuraiyur Road, Trichy District, and pass final orders on merits and in accordance with law and also in the light of the Government Orders in G.O.Ms.Nos.66 of 1993 , dated 23.02.1993 & 89 of 1999 dated 13.05.1999, within a period of eight weeks from the date of receipt of a copy of this order.

7.With the aforesaid direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TM

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The District Collector,Collectorate, Trichy.

2.The Tahsildar,Office of Tahsildar,Musiri, Trichy District.

+1 CC to M/s.S.VEEERAPANDI SELVARAJ,Advocate(SR-19827[F]dated 13/10/2020)

+1 CC to M/s.GP (SR-19901[F] dated 13/10/2020)

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AP(29.10.2020) 2P 5C

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