



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.02.2020

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THE HONOURABLE MR. JUSTICE **S.S. SUNDAR**

W.P. (MD) No. 4431 of 2016

J. Stephen Saravanan

... Petitioner

vs.

1. The District Collector,
Dindigul District, Dindigul.

2. The Assistant Director of Panchayat,
The Assistant Director of Panchayat Office,
Dindigul.

3. The Panchayat President,
Sevagampatti Town Panchayat,
Nilakottai Taluk, Dindigul District.

4. The Executive Officer,
Sevagampatti Town Panchayat,
Nilakottai Taluk,
Dindigul District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents to consider the petitioner's representation, dated 29.10.2015 and to direct the respondents to sanction plan and approval for the construction of the Church in S.No.766/3B, which is situated in the Sevagampatti Village, Nilakottai Taluk, Dindigul District.

For Petitioner : Mr.S.Samuel James Devasagayam

For R1 to R4 : Mr.A.Thiyagarajan
Government Advocate

O R D E R

This Writ Petition is filed for issuing a Writ of Mandamus to direct the respondents to consider the petitioner's
<https://hcservices.ecourts.gov.in/hcservices/>



representation, dated 29.10.2015 and to direct the respondents to sanction plan and approval for the construction of the Church in S.No.766/3B, which is situated in the Sevagampatti Village, Nilakottai Taluk, Dindigul District.

2.The petitioner states that he is a Pastor of a Church, known as "Believer's Church" and that the religious congregation of the petitioner has acquired a property measuring to an extent of 22 cents. The petitioner states that he applied for approval and plan permission for the Church proposed to be constructed by the petitioner and that said request was not considered by the respondent all along.

3.The representation was submitted by the petitioner on 29.10.2015. Though the Writ Petition is of the year 2016, the respondents have not responded to the request of the petitioner for a long time. The learned counsel for the petitioner would submit that the petitioner will be satisfied, if a direction is issued to the respondents to consider the representation of the petitioner and pass appropriate order within the time stipulated by this Court

4.Since the petitioner is seeking approval for construction of a Church, this Court is of the view that the respondents should consider the petitioner's request and to decide whether the petitioner can be permitted to put up construction. Hence, without expressing any opinion on the merits of the petitioner's representation, this Court is inclined to pass the following direction:-

5.The first respondent is directed to consider the petitioner's representation dated 29.10.2015 and pass appropriate orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order after giving opportunity to the petitioner as well as the others living in the village.

6.Accordingly, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (Crl.Side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

1.The District Collector,
Dindigul District, Dindigul.

<https://hcservices.ecourts.gov.in/hcservices/>



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The Assistant Director of Panchayat Office,
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Nilakottai Taluk,
Dindigul District.

+1 CC to M/s. Special Govt. Pleader (SR-7783[F]

+1 CC to M/s. SAMUVEL JAMES DEVA SAGAYAM, Advocate (SR-7892[F]

W.P. (MD) No. 4431 of 2016
21.02.2020

cmr

SDS (06.03.2020) 3P-7C