

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.862 OF 2020

DATE : 10.01.2020

Between :

Shalem Gospal Church Ministers,
Rep.by its Treasurer, Kodali Somaiah
S/o John Joseph, aged about 34 years,
Occ:Treasurer, Shalem Gospal Church
Ministers, R/o Plot No.15, Sundaraiah
Nagar Colony, Hayatnagar, Ranga Reddy
District -501 510.

..... Petitioners

And

The State of Telangana,
rep. by its Principal Secretary,
Municipal Administration & Rural Development
Department, Secretariat Buildings,
Hyderabad and others.

.....Respondents



The Court made the following:

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ORDER :

Heard, the Learnt counsel for the petitioner, learned Government Pleader for Municipal Administration for Respondent No.1, learnt Standing Counsel for H.M.D.A., for Respondent No.2 and learnt Standing Counsel for G.H.M.C., for Respondent No.3.

2. According to the petitioner, residents of Injapur Village, Abdullapurmet Mandal, Ranga Reddy District, having faith in Christianity, initially started praying in the open land and later constructed a shed in the year 2015 and registered as a society converting the shed into a Church under the name and style of Shalem Gospital Church Ministers.

3. Petitioner now alleges that the HMDA authorities are interfering and trying to dispossess the petitioner Church, which would cause lot of hardship and affect sentiments of the devotees who offer prayers in the petitioner-Church.

4. It is not disputed that no permission was obtained from the Gram Panchayat to construct the shed/building, wherein prayers are offered. It is also not disputed by learned counsel for the petitioner that no permission was obtained to covert the premises into a prayer house. The earlier Building Rules mandate obtaining permission from the District Collector as a pre-condition to apply for building permission for construction of building to be utilized as a prayer hall and later this power is delegated to the Gram Panchayat. But, no such application was made by the petitioner-

Church and not even permission was obtained by it to construct building.

5. Though this writ petition is filed alleging that the officials of HMDA are taking steps to evict the petitioner-Church, the fact remains that petitioner-Church has not obtained permission for construction of church. Therefore, I do not see any illegality on the part of the officials of HMDA in resorting to take such action. This Court need not interfere, at this stage, to stop taking of appropriate action as warranted by law. If petitioner-church is advised to apply for building permission, it is open to the petitioner-Church to apply for such permission, as required by law.

6. Accordingly, the Writ Petition is dismissed. Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

JUSTICE P.NAVEEN RAO

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