



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.02.2022

CORAM

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

W.P (MD).No. 1036 of 2021

and

W.M.P.(MD).Nos.899 and 901 of 2021

WEB COPY

Moses Duraikan

.. Petitioner

Vs.

1. The Sub Divisional Magistrate/
Revenue Divisional Officer,
Karur Revenue Division,
Karur.

2. The Superintendent of Police,
Karur District,
Karur.

3. The Inspector of Police,
Karur Town Police Station,
Karur.

4. Walter

.. Respondents

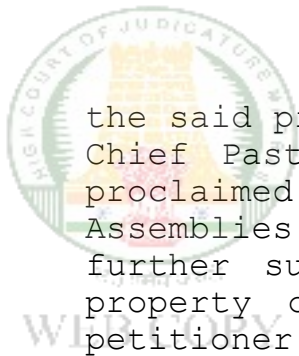
Prayer : This petition is filed under Article 226 of Constitution of India, To issue a Writ of Certiorarified Mandamus to call for the records in pertaining to the impugned proceedings of the 1st respondent in Na.Ka.No.A1/6553/2019 dated 13.12.2019 consequently direct the respondents not to interfere with the petitioner's private right of holding the post of chief pastor of Lebanon Assemblies of God Church, Karur without following any due process of law

For Petitioner	: Mr.T.Vadivelan
For Respondents	: Mr.R.M.Anbunithi
No. 1 to 3	Additional Public Prosecutor
For R-4	: Ms.Selvirajesh
	M/s.Dictum Law Firm

ORDER

This Writ Petition has been filed challenging the order passed by the first respondent in Na.Ka.No.A1/6553/2019, dated 13.12.2019.

2. The case of the petitioner is that he is the Chief Pastor of Lebanon Assemblies of God Church, Karur. It belongs to the South Indian Assemblies of God Organization, which is registered under the Societies Registration Act, 1860. The said Organization purchased the property of the Church and handed over to the petitioner to develop the Church. For the past 37 years, he is in possession of



the said property and constructed the Church and also do the work of Chief Pastor. While being so, the fourth respondent and others proclaimed themselves as the Executive Members of the South Indian Assemblies of God Association and returned the property. He would further submit that the fourth respondent tried to encroach the property of the Church and gave a false complaint against the petitioner. Finally, the fourth respondent and his group of persons filed an application before the first respondent and on receipt of the same, the first respondent conducted a Peace Committee Meeting and pass a Resolution in which the fourth respondent stated that there was a dispute between two groups, namely, the petitioner group and the fourth respondent group regarding the posting of Chief Pastor of the Church, namely, Lebanon Assemblies of God Church, Karur.

3. According to the petitioner, he is not a party to the said Peace Committee Meeting and without giving any opportunity to the petitioner, two groups entered into an agreement and a Resolution has been passed. On the strength of the said order, they have also obtained police protection before this Court in W.P.(MD).No.27002 of 2019. Though the petitioner filed a Review Petition, the same was also dismissed by this Court. The fourth respondent has filed a counter. It reveals that several cases have been registered as against the petitioner in Crime Nos.1282 of 2020 and 1297 of 2020 on the file of the third respondent and both are pending for investigation. In fact in both cases, the petitioner and his son were arrested and subsequently, released on bail on condition that the petitioner shall not enter into the Church premises.

4. It seems that there was a dispute between the petitioner and the fourth respondent group in respect to the post of the Pastor. Therefore, before the first respondent, they agreed to abide by the decision taken by the Committee. Therefore, this Court does not find any infirmity or illegality in the order passed by the first respondent. However, the petitioner is at liberty to approach the Civil Court for appropriate relief in the manner known to law.

5. With the above observations, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD-II)

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/ /2022

Sub Assistant Registrar(CS)



1. The Sub Divisional Magistrate/
Revenue Divisional Officer
Karur Revenue Division
Karur
2. The Superintendent of Police
Karur District
Karur
3. The Inspector of Police
Karur Town Police Station
Karur
4. The Additional Public prosecutor,
Madurai Bench of Madras High Court, Madurai

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