



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.02.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P. (MD) .No.14374 of 2021

WEB COPY

A.Selvan

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Kollancode Police Station,
Kanyakumari District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents not to interfere with the rights of the petitioner for conducting prayer along with his relatives and friends at the residence of the petitioner situated at Door No.14/74M, Otrapilavilai, Vengangi, Kollancode Post, Killiyur Taluk, Kanyakumari District.

For Petitioner : Mr.K.Samidurai
For Respondent : Mr.K.Sanjai Gandhi
Government Advocate(Crl. Side)

ORDER

This Writ Petition has been filed to direct the respondents not to interfere with the rights of the petitioner for conducting prayer along with his relatives and friends at the residence of the petitioner situated at Door No.14/74M, Otrapilavilai, Vengangi, Kollancode Post, Killiyur Taluk, Kanyakumari District.

2. The learned counsel for the petitioner would submit that the petitioner is the owner of the house at Door No.14/74M, Otrapilavilai, Vengangi, Kollancode Post, Killiyur Taluk, Kanyakumari District. He intended to conduct the peaceful prayer inside the house along with his relatives. When the petitioner approached the respondent for seeking permission to conduct prayer in his dwelling house, the respondent insisted not to conduct any prayer inside the house without the permission from the revenue officials. He further submitted that civil circumstances, this Court passed orders in several Writ Petitions that there is no need to get prior permission from any Authority for assembling and conducting any prayer in dwelling house. While being so, the petitioner did not get any permission from the revenue authorities as insisted by the respondent herein.

3. The learned Government Advocate (Criminal Side) would submit that so far no representation has been received from the petitioner and also no complaint from any neighbours in respect of the



allegation that the petitioner intended to conduct any prayer in his house.

4. Heard Mr.K.Samidurai, learned counsel for the petitioner and Mr.K.Sanjai Gandhi, learned Government Advocate(Criminal Side) appearing for the respondent.

5. This Court in the similar Writ Petitions allowed the petitioners to conduct prayer in the house without causing any hindrance or disturbance to the general public. Considering the above nature of the prayer sought for in the said petition that there is no need to get any prior permission from any Authority for assembling and conducting prayer in the dwelling house of the petitioner. However, there is any nuisance being caused due to noise pollution or for any other bona fide reasons to the general public, it is always open to the respondent herein to take appropriate action in accordance with law against the petitioner.

6. With the above observations, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Lm

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
The Inspector of Police,
Kollancode Police Station,
Kanyakumari District.

+1 CC to M/s.K.SAMIDURAI, Advocate (SR-8174[F] dated 23/02/2022)

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KG (CO)
TR(18.03.2022) 2P 3C