



1

W.P.(MD)NO.21083 OF 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.09.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.21083 of 2022 and
W.M.P.(MD)Nos.15311 & 15312 of 2022

Christopher Jeyakumar

... Petitioner

Vs.

1. The Director General of Police,
Tamil Nadu,
Dr.Radhakrishnan Salai,
Mylapore, Chennai – 4.
2. The Superintendent of Police,
Thoothukudi District,
Thoothukudi.
3. The Deputy Superintendent of Police,
Sathankulam,
Thoothukudi District.
4. The Inspector of Police,
Thattarmadam police station,
Thattarmadam,
Thoothukudi District.
5. The II Class Executive Magistrate / Tahsildar,
Sathankulam.
6. The Church of India (CIPBC),
(Body Incorporated by Indian Church Act,1927),
Rep. by its Metropolitan,
Christ Church, Mahatma Gandhi Marg,
Lucknow(U.P.) - 226 001.



7. Church of South India,
Rep. by its Moderator,
No.5, Whites Road,
Royapettah, Chennai – 14.

8. S.Davidson Devasirvatham IPS,
ADGP-IS, Mylapore,
Chennai -4.

9. Sundar

10.Rev.Yesudian,
The Priest,
Church of South India,
Mudalur – 628 702,
Thoothukudi District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, Certiorarified Mandamus, calling for the records relating to the order passed by the 5th respondent in his proceedings in Na.Ka. A6/631/2022, dated 23.08.2022 and quash the same as illegal and consequent direction may be issued to the respondents 2 to 5 and 7 to 10 to return the key and articles in the buildings situated in Survey Number 330/3, 87 Cents and 4/2, 35 cents, Mudalur Village, Sattankulam Taluk, Tuticorin District, to the petitioner within stipulated time based on the authorization of the 6th respondent's letter dated 05.02.2022.

For Petitioner : Mr.T.A.Ebenezer

For R-1 to R-4 : Mr.T.Senthilkumar,
Additional Public Prosecutor.

For R-7 to R-10 : Mr.G.Prabhu Rajadurai

* * *



WEB COPY



ORDER

Heard the learned counsel on either side.

2. The petitioner questions the order passed under Section 107 of Cr.P.C. by the fifth respondent. Such an order will have to be assailed only under the provisions of Cr.P.C. Writ petition under Article 226 of the Constitution of India is normally not entertained as per the usual practise of this Court. Giving liberty to the writ petitioner to invoke the criminal jurisdiction of this Court. This writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

02.09.2022

Index : Yes / No

Internet : Yes/ No

PMU

Note : Registry to return the impugned order in original to the learned counsel appearing for the writ petitioner.



WEB COPY



4

W.P.(MD)NO.21083 OF 2022

G.R.SWAMINATHAN,J.

PMU

To:

1. The Director General of Police,
Tamil Nadu,
Dr.Radhakrishnan Salai, Mylapore, Chennai – 4.
2. The Superintendent of Police,
Thoothukudi District, Thoothukudi.
3. The Deputy Superintendent of Police,
Sathankulam, Thoothukudi District.
4. The Inspector of Police,
Thattarmadam police station,
Thattarmadam, Thoothukudi District.
5. The II Class Executive Magistrate / Tahsildar,
Sathankulam.

W.P.(MD)No.21083 of 2022

02.09.2022