



WEB COPY

W.P.No.15428 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.15428 of 2018

The Pentecostal Mission (Church),
Reptd. By Pastor – Branch Incharge,
Thoppampalayam Branch,
Bhavani Sagar Road,
Thoppampalayam – 638 415,
Erode District.

... Petitioner

Vs.

1. The District Collector,
Erode District, Erode.
2. The Revenue Divisional Officer,
Gopichettipalayam Revenue Division,
Erode District.
3. The Tahsildar,
Sathiyamangalam Taluk Office,
Erode District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to consider the application, dated 15.12.2014 of the petitioner for granting building approval construction of church in the land, comprised in survey No.48/1A in Thoppampalayam Village, Santhyamangalam Taluk, Erode District.



For Petitioner : Mr.R.Munuswamy

For Respondents : Mr.T.Arunkumar
Additional Government Pleader

ORDER

The relief sought for in the present writ petition is to direct the first respondent to consider the application of the petitioner dated 15.12.2014 for granting building approval for construction of church in the land comprised in No.48/1A in Thoppampalayam Village, Santhyamangalam Taluk, Erode District.

2. Admittedly, the application seeking building approval was submitted on 15.12.2014 and thereafter, 9 years have been lapsed. Thus, the said application lost its relevance and therefore, if at all the petitioner has proposed to construct any church as of now, fresh application has to be submitted under the relevant provisions of the Act and Rules. The District Collector in this regard has to grant necessary approval since the petitioner has proposed to construct their religious institution.

3. For constructing a religious institution approval from the District



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Collector is mandatory and nature of land, likelihood of inconvenience to the residence of that locality and other aspects shall be taken into consideration for the purpose of granting such approval.

4. Thus, in the event of submitting any application, the respondents are bound to consider the same strictly in accordance with rules and by following the procedures contemplated under law.

With these observations, this writ petition stands disposed of. No costs.

04.09.2023

Index : Yes
Speaking order
Neutral Citation : Yes/No

mp



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S.M.SUBRAMANIAM, J.

mp

To

1. The District Collector,
Erode District, Erode.
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