



WEB COPY

W.P.No.32447 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 22.11.2023

CORAM :

THE HONOURABLE Dr. JUSTICE G.JAYACHANDRAN

W.P. No.32447 of 2023

and

WMP. No.32061 of 2023

Rev.S.Gershome Jacob

... Petitioner

-VS-

- 1.The Commissioner of Police,
Office of the Commissionerate,
Coimbatore City,
Coimbatore District.
- 2.The Assistant Commissioner of Police,
D3, Podanur Police Station,
Coimbatore District.
- 3.The Inspector of Police,
D-3 Podanur Police Station,
Coimbatore District.
- 4.CSI Coimbatore Diocese,
Represented by its Bishop,
CSI Diocesan Office,
No.256, Race Course Road,
Coimbatore - 641 018.



5.CSI Coimbatore Diocese Executive Committee,
Represented by its Chairman/Bishop,
No.256, Race Course Road,
Coimbatore - 641 018.

6.CSI Coimbatore Diocesan Office bearers council,
Represented by its Diocesan Bishop,
No.256, Race Course Road,
Coimbatore - 641 018.

7.The Bishop,
CSI Coimbatore Diocese,
No.256, Race Course Road,
Coimbatore - 641 018.

8.Rev. N.Charles Samraj,
Presbyter,
All souls Church,
Coimbatore - 641 018.

...Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India, to issue Writ of Mandamus, directing the 3rd respondent to provide adequate Police Protection to the faithful members/public of the Petitioner's Church viz., CSI Union Church, No.131, Vellalore Road, Podanur, Coimbatore - 641 023, for conducting religious services in the Petitioner's Church without any threat or obstruction from respondents 4 to 8 or their agents or servants in any manner, pending disposal of the writ petition.

For Petitioner : Mr.P.Saravana Sowmiyan

For Respondents 1 to 3 : Mr.S.Udaya Kumar,
Government Advocate (Crl.Side)

**ORDER**

The petition is filed seeking police protection for the peaceful worship and sacred activities of the members of the petitioner's Church, since they are threatened and obstructed by the respondents 4 to 8.

2. The learned Government Advocate (Crl.Side) submits that two groups are at logger heads and causing disturbance to the public peace and tranquility. Since the case has been registered against the persons involved in the act of causing disturbance and unlawful assembly, at the request of the Police, Revenue Divisional Officer (RDO) had initiated proceedings under Section 107 Cr.P.C. However, the parties have not appeared before the RDO for enquiry slotted on 27.10.2023.

3. The learned counsel for the petitioner submitted that they have appeared before the RDO, participated in the enquiry and also produced the interim injunction granted in their favour.

4. Considering the above facts, if still the disturbance to the public peace and tranquility prevails, the RDO shall proceed with Section 107 Cr.P.C enquiry and pass appropriate orders and in case, if there is any law and order issue arise on commission of offence by any of the members of the two groups



then the respondent police is directed to register a case and proceed against them in accordance with law.

5. With the above direction, this Writ Petition is disposed of. Consequently, connected Miscellaneous Petition is closed. No costs.

22.11.2023

Internet : Yes/No

Index : Yes/No

rkp

To

1.The Commissioner of Police,
Office of the Commissionerate,
Coimbatore City,
Coimbatore District.

2.The Assistant Commissioner of Police,
D3, Podanur Police Station,
Coimbatore District.

3.The Inspector of Police,
D-3 Podanur Police Station,
Coimbatore District.

4.The Public Prosecutor,
Madras High Court, Madras.



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Dr.G.JAYACHANDRAN, J.

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