



W.A.(MD) No.342 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 23.11.2023

CORAM

THE HONOURABLE **MR.JUSTICE S.M.SUBRAMANIAM**
AND
THE HONOURABLE **MR.JUSTICE V.LAKSHMINARAYANAN**

W.A.(MD) No.342 of 2020

A.Yosuva @ Murugan

... Appellant/Writ Petitioner

-Vs.-

- 1.The District Collector,
Tenkasi District.
- 2.The Block Development Officer,
Mela Neelitha Nallur Panchayat Union,
Kadayanallur Taluk,
Tenkasi District.
- 3.The President,
Senthamaram Majara Panchayat,
Kodayalooruti Village,
Kadayanallur Taluk,
Tenkasi District.
- 4.The Superintendent of Police,
Tenkasi District.
- 5.The Tahsildar,
Kadayanallur Taluk,
Tenkasi District.
- 6.The Revenue Inspector,
No.23, Sarnthamangalam Village,



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Sangarankovil,
Tenkasi District.

7.The Village Administrative Officer,
No.23, Sarnthamangalam Village,
Sangarankovil,
Tenkasi District.

8.The Sub Inspector of Police,
Sarnthamangalam Police Station,
Tenkasi District.

... Respondents/Respondents

(Cause title amended vide Court order
dated 17.06.2021 made in C.M.P(MD)
No.4407/21 in W.A.(MD) No.342 of
2020 by TSSJ & SAIJ)

PRAYER:- Writ Appeal filed under Clause 15 of Letters Patent Act, to
set aside the order dated 11.12.2019 made in W.P.(MD)No.25641 of 2019
on the file of this Court.

For Appellant : Mr.J.Gunaseelan Muthiah

For Respondents : Mr.S.Kameswaran
Government Advocate
For R1, R2, R3, R5, R6 & R7

Mr.Veeranthiran
Government Advocate
For R4 & R8

J U D G M E N T

(Judgment of the Court was delivered by **S.M.SUBRAMANIAM, J.**)

The Writ Appeal has been instituted against the order dated
11.12.2019, passed in W.P.(MD) No.25641 of 2019.



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2. The Writ Petition was instituted challenging the orders dated 10.10.2019 and 20.07.2016, passed by the District Collector, Tirunelveli District, rejecting the approval application submitted by the petitioner for converting the residential building as prayer Hall.

3. Learned Single Judge considered the fact and recorded that the dispute is in respect of refusal of permission to convert a residential house into a Prayer Hall. The writ petitioner admittedly had obtained plan approval from Panchayat President on 24.06.2016 only for construction of a residential house. Panchayat approved the building plan for construction of residential house. For grant of permission to construct Church or Prayer Hall permission / approval is to be obtained from the District Collector concerned, who is the competent authority. Admittedly the petitioner has not obtained any such valid approval from the District Collector for construction of a Church, Prayer Hall or to convert the residential house as Prayer Hall.

4. Learned Government Advocate (Criminal Side) appearing on behalf of the respondents 5 and 8 and the learned Government Advocate appearing on behalf of the respondents 1 to 3 and 5 to 7 made a



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submission that the Superintendent of Police has submitted a report stating that there will be law and order problem in the event of granting permission, since no permission has been obtained from the District Collector. Considering the facts and circumstances, the learned Single Judge dismissed the Writ Petition by upholding the order of rejection passed by the respondents.

5. We do not find any infirmity in respect of the order passed by the learned Single Judge, since the petitioner has not obtained any approval for conversion of residential house into a Prayer Hall nor the petitioner obtained any approval from the District Collector for construction of a Church. Thus, the order impugned stands confirmed and the Writ Appeal stands dismissed. No costs.

[S.M.S.J.] & [V.L.N.J.]
23.11.2023

NCC :Yes/No
Index :Yes/No
SJ

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