



W.P(MD)No.4374 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.03.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.4374 of 2023

N.Kanagamani

... Petitioner

Vs.

1.The District Collector,
Kanyakumari District,
Nagercoil.

2.The Inspector of Police,
Karungal Police Station,
Karungal, Kanyakumari District.

3.The Block Development Officer,
Mathicode Panchyat Union,
Mathicode, Kanyakumari District.

4.The Panchayat President,
Mathicode Village Panchayat,
Mathicode, Kanyakumari District.

5.Jeya Anantha Kumari

5.P.Amaladhas

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents 1 to 4 herein to consider and pass orders on the petitioner's representation dated



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17.01.2023 seeking appropriate action against the respondents 5 & 6 herein for using the building in Re-survey No.819/3 of Mathicode Village, Kanyakumari District for church worships/prayers without obtaining any prior permission from the first respondent herein and also in violation to the proceedings issued by the first respondent herein in No.C3/39037/2015, dated 19.02.2017.

For Petitioner : Mr.V.N.Siva

For Respondents : Mr.M.Siddharthan
Additional Government Pleader for R1 & R4

: Mr.B.Thanga Aravindh
Government Advocate (Crl.side) for R2

ORDER

Heard the learned counsel on either side.

2. The only request made in the writ petition is that the petition mentioned building should not be used for religious purpose without obtaining prior permission from the first respondent. The matter was adjourned to enable the Government Advocate(Crl.side) to inform the Court if such permission has been obtained by the private respondents.

3. The learned Government Advocate(crl.side) today informed the Court that no such permission has been obtained. Even the local body has already



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given permission only to put up a commercial complex and not any religious building.

4. In these circumstances, direction is issued to the respondents 1 to 4 to ensure that the petition mentioned building is not used for religious purpose.

5. The Writ Petition is allowed. No costs.

03.03.2023

Index : Yes / No
Internet : Yes/ No
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To

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Nagercoil.
- 2.The Inspector of Police,
Karungal Police Station,
Karungal, Kanyakumari District.
- 3.The Panchayat President,
Mathicode Village Panchayat,
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G.R.SWAMINATHAN, J.

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