



W.P.(MD)Nos.18947 of 2014 and 2179 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)Nos.18947 of 2014 and 2179 of 2015

and

M.P.(MD)Nos.1 of 2014 and 1 of 2015

W.P.(MD)No.18947 of 2014

G.Sundaraman Nair

... Petitioner

versus

1. The District Collector,
Kanyakumari District
at Nagercoil.

2. The Revenue Divisional Officer,
Padmanabhapuram,
Kanyakumari District.

3. The Tahsildar,
Kuzhithurai,
Vilavancode Taluk,
Kanyakumari District.

4. The Parish Priest,
St. Michael Church,
Manjalamoodu Post,
Kanyakumari District.

... Respondents



W.P.(MD)Nos.18947 of 2014 and 2179 of 2015

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Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, to direct the respondents 1 to 3 herein to prevent the 4th respondent or his men of any one claiming under him from constructing any Church or religious institution in Door No.1/57(1), Re.Sy.No.406/A1 in Thettivillai, Arumanai Village, Kanyakumari District and from converting the existing building in the same as a worship place without permission from the 1st respondent.

For Petitioner : Ms.J.Anandhavalli

For R1 to R3 : Mr.J.K.Jayaselan,
Government Advocate

For R4 : Mr.Vallinayagam,
Senior Counsel
for Mr.R.Murugan

W.P.(MD)No.2179 of 2015

L.Rema

... Petitioner

versus

1. The District Collector,
Kanyakumari District
at Nagercoil.



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2. The Revenue Divisional Officer,
Padmanabhapuram,
Kanyakumari District.

3. The Superintendent of Police,
Kanyakumari at Nagercoil.

4. The Inspector of Police,
Arumanai Police Station,
Vilavancode Taluk,
Kanyakumari District.

5. Parish Priest
St. Michael Church
Manjalammoodu Post,
Kanyakumari District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, forbearing the respondents 1 to 4 herein from in any manner allowing the 5th respondent herein from using the land and building in RS No.406/6A1 bearing Door No.1-5TC1 Thetrivilai, Arumanai Town Panchayat, as a religious place of worship, except by following due process of law.

For Petitioner : Mr.Ram Sundar Vijayaraj

For R1 to R4 : Mr.J.K.Jayaselan,
Government Advocate



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For R5 : Mr.Vallinayagam,
Senior Counsel
for Mr.R.Murugan

COMMON ORDER

W.P.(MD)No.18947 of 2014 has been filed for a Mandamus, directing the respondents 1 to 3 to prevent the St. Michael Church/the 4th respondent or its men from constructing any Church or religious institution in Door No.1/57(1), (Re.Sy.No.406/A1) situated in Thettivillai, Arumanai Village, Kanyakumari District and from converting the existing building as a worship place without permission from the 1st respondent.

2. W.P.(MD)No.2179 of 2015 has been filed for a Mandamus, forbearing the respondents 1 to 4 from in any manner allowing the St. Michael Church/5th respondent herein from using the land and building in RS No.406/6A1 bearing Door No.1-5TC1 Thetrivilai, Arumanai Town Panchayat, as a religious place of worship, except by



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following due process of law.

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3. The learned Senior Counsel appearing for the St. Michael Church submits that W.P.(MD)No.18947 of 2014 has been filed by the father and W.P.(MD)No.2179 of 2015 has been filed by her daughter for the very same relief. The District Collector, Kanyakumari, by his proceedings dated 28.10.2022, permitted the St. Michael Church to be renovated. He has also produced a copy of the proceedings dated 28.10.2022 of the District Collector, Kanyakumari, before this Court. In view of subsequent development, the prayer sought for in these writ petitions are infructuous.

4. The learned counsel for the petitioners seek for a short accommodation to get instructions from the petitioners.

5. Considering the proceedings of the District Collector, Kanyakumari, dated 28.10.2022, the competent authority permitting the



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St. Michael Church to be renovated, these writ petitions are dismissed as no further orders are required to be passed. No costs. Consequently, connected miscellaneous petitions are closed.

30.10.2023

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

To

1. The District Collector,
Kanyakumari District
at Nagercoil.
2. The Revenue Divisional Officer,
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Kanyakumari District.
3. The Tahsildar,
Kuzhithurai,
Vilavancode Taluk,
Kanyakumari District.
4. The Parish Priest,
St. Michael Church,
Manjalamoodu Post,
Kanyakumari District.



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5. The Superintendent of Police,
Kanyakumari at Nagercoil.

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6. The Inspector of Police,
Arumanai Police Station,
Vilavancode Taluk,
Kanyakumari District.



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B.PUGALENDHI, J.

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