



W.P.(MD)No.22718 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.09.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P.(MD)No.22718 of 2023

Justus Rajan

... Petitioner

Vs

1.The Superintendent of Police,
Kanyakumari District, Nagercoil,
Kanyakumari District.

2.The Deputy Superintendent of Police,
Nagercoil,
Kanyakumari District.

3.The Inspector of Police,
Asaripallam Police Station,
Kanyakumari District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to grant permission to conduct the spiritual programs of Holy Masses, Ananathanam and Holy Chariot on 22.09.2023 to 01.10.2023 in the festival of “St.Michael Church Festival” Mela Asaripallam Village, Kanyakumari District with light and sound and to provide necessary police protection.

For Petitioner : Mr.R.Rajeshkumar

For Respondents : Mr.S.S.Madhavan
Government Advocate (Criminal Side)



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ORDER

This Writ Petition is filed seeking for a Mandamus to the respondents Police to grant permission for conducting Spiritual Programme of Holy Masses, Ananathanam and Holy Chariot with light and sound on 22.09.2023 to 01.10.2023 in St.Michael Church situated at Mela Asaripallam Village, Kanyakumari District.

2. When the matter is taken up for hearing, Mr.R.Balmuruganathan, learned counsel intervened stating that he has got instructions from the Church and the proposed festival has to be conducted by the Church, but not by any individual. It is further submitted that the peace committee meeting was conducted and the church was granted permission by the Revenue Divisional Officer to conduct the festival. It is further submitted that the petitioner is not holding any position in the Church and he has been removed from the post. Aggrieved by the same, the petitioner has allegedly filed a suit and the same is still pending and that the petitioner has suppressed all the relevant facts.

3. At this juncture, the learned counsel appearing for the petitioner submits that if at all the Revenue Divisional Officer has permitted the Church to conduct festival, it is enough for the petitioner to allow him to participate in the



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festival, for which, the learned counsel representing the Church has raised no objection.

4. In view of the above, this Writ Petition is disposed of directing the Church Authorities to permit the petitioner to participate in the festival from 22.09.2023 to 01.10.2023. However, it is to be noted that merely because the petitioner is permitted to participate in the festival from 22.09.2023 to 01.10.2023 does not mean that he has got some right in the management of the temple and the issue of which is already seized by the civil Court. The respondents Police are directed to provide suitable protection for conducting festival and see that no untoward incident is taken place.

5. Accordingly, this Writ Petition is disposed of. No costs.

19.09.2023

NCC:yes/no
Index:yes/no
Internet:yes/no
ssb

Note: Issue order copy on **20.09.2023**.



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To

- 1.The Superintendent of Police,
Kanyakumari District, Nagercoil,
Kanyakumari District.
- 2.The Deputy Superintendent of Police,
Nagercoil,
Kanyakumari District.
- 3.The Inspector of Police,
Asaripallam Police Station,
Kanyakumari District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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DR.D.NAGARJUN, J.

ssb

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