



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02-02-2024

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THE HONOURABLE MR.JUSTICE S.M. SUBRAMANIAM

WP No.1078 of 2021

And

WMP No.1198 of 2021

E.K.C.John Eliya @ Perumal

.. Petitioner

-VS-

1.The District Collector,
Kovai Main Road,
Sambath Nagar,
Perunthurai (via),
Erode District-638 011.

2.The Tahsildar,
Gobichettipalayam-Avinashi Road,
Naimbiyur,
Erode-638 458.

3.The Inspector of Police,
Kadathur Police Station,
Nambiyur (via),
Erode District-638 451.

.. Respondents



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Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, forbearing the respondents from interfering with the petitioner's right to conduct of religious prayer meeting at Door No.100 in S.Nos.816/2A and 817/2A, New Arundhathi Colony, Rice Mill Stop, Elathur, E Chettipalayam Post, Nambiyur Taluk, Erode District-638 458.

For Petitioner : Ms.U.Divya for
Mr.M.Francis Xavier.

For Respondents : Mr.V.Veluchamy,
Additional Government Pleader.

ORDER

The relief sought for in the present writ petition is to forbear the respondents from interfering with the petitioner's right to conduct of religious prayer meeting at Door No.100 in S.Nos.816/2A and 817/2A, New Arundhathi Colony, Rice Mill Stop, Elathur, E Chettipalayam Post, Nambiyur Taluk, Erode District-638 458.



2. Under the provisions of the Statutes and the Rules, the religious activities conducting prayers are to be done only with the prior permission from the Authorities concerned. Such mass prayers cannot be conducted in residential areas, so as to cause inconvenience or nuisance to the other residents of that locality. In such circumstances, the Authorities are empowered to initiate action.

3. Right to profess religion is subject to restrictions under law. Fundamental right to profess religion is not absolute and reasonable restrictions are imposed by the Authorities based on the Statutes and the Rules in force.

4. In the present case, the petitioner cannot conduct any religious prayer, meetings in the residential area without permission, which may cause nuisance or inconvenience to the other residents of that locality.

5. The learned Additional Government Pleader appearing on behalf of the respondents would submit that the petitioner at present is not conducting any such prayer meetings in the said premises as stated in the



affidavit filed in support of the present writ petition. Therefore, no further consideration is required in the present writ petition.

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6. Accordingly, the present writ petition stands dismissed.

However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is also dismissed.

02-02-2024

Index : Yes/No
Internet: Yes/No
Speaking order/Non-Speaking order
Neutral Citation : Yes/No
Svn



To

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S.M.SUBRAMANIAM, J.

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