



W.P.No.38882 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 18.12.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.38882 of 2024 and
W.M.P.No.42118 of 2024

- 1.V.Timothy
- 2.K.Palani
- 3.M.Thanigaimalai
- 4.S.Gukanraj
- 5.Gowtham Selvam

... Petitioners

VS.

1. The District Collector
Office of the District Collector
Tiruvannamalai-Kanchipuram Road
Thaiyar Kullam, Kanchipuram-631 501.
- 2.The Revenue Divisional Officer
6/114, Pattnoolchathram
Sriperumbudur
Kanchipuram.
3. The Inspector of Police,
4th street, Sri Chakra Nagar
Kamatchiamman Nagar
Mangadu, Chennai-600 122.
4. The Madras Bible League
Represented by its Chairman
Zion Church Campus
Chintadripet
Chennai-600 002.



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5. The Redeemer Jesus Christ Church
Represented by its Committee
Kundrathur Main Road,
Kovur
Chennai-602122

6. B.Robinson .. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to forthwith open the 5th respondent church and keep it available for the petitioners to exercise their fundamental right to worship therein.

For Petitioner : Mr.K.Doraisami
Senior Counsel
for Mr.Kandhan Duraisamy

For Respondents : Mr.V.Ramesh, for R1 & R2
Government Advocate
Mr.L.Baskaran, for R3
Government Advocate (Crl.side)

ORDER

By consent of both the learned counsel appearing for the petitioner as well as respondents, this writ petition is disposed of at the admission stage itself.

2. The petitioner herein seeks a direction to respondents 1 to 4 to forthwith open the 5th respondent's church and allow the petitioners to exercise their right of worship therein.



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3. It is the case of the petitioners that they are members of the Redeemer Jesus Christ Church which was founded in the year 1953. The said church acts under the guidance of 4th respondent which is a parent body. The day to day affairs of the said church has been looked after by the elected committee members. The 6th respondent was appointed as a Pastor of the above mentioned church on 07.07.2019. Since he violated the instructions of the church committee, he was terminated from the post of pastor by the church committee on 14.10.2021. The said order was affirmed by the 4th respondent. Thereafter, the 6th respondent filed a civil suit against the church committee and also prevented the worshippers from attending church. In these circumstances, the peace committee meeting was conducted by Tahsildar, Kundrathur on 02.11.2021 and as per the decision taken in the peace committee meeting, the 6th respondent was directed to vacate the church premises. Even though the 6th respondent vacated the premises, the church has not been opened for prayers for the past 4 years. Therefore, the petitioner submitted a representation before the respondents 1 and 2 on 19.11.2024 seeking their intervention to resolve the issue and the same has not been considered by them. Hence, the petitioners have come before this Court.



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4. Mr.V.Ramesh, learned Government Advocate takes notice for the respondents 1 and 2 and Mr.L.Baskaran, learned Government Advocate (Crl.side) takes notice for the 3rd respondent.

5. In view of the difficulties expressed by the petitioners regarding closure of the church for the past four years, the 2nd respondent is directed to consider the representation of the petitioners dated 19.11.2024 and pass final orders on merits and in accordance with law within a period of four weeks from the date of receipt of copy of this order after issuing notice to the petitioner and the respondents 4 to 6.

6. With the above directions, the Writ Petition stands disposed of. No costs. Consequently, the connected writ miscellaneous petition is closed.

18.12.2024
(1/2)

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
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To

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