



W.P(MD)No.12538 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 19.06.2024

CORAM :

**THE HON'BLE MR.R.MAHADEVAN, ACTING CHIEF JUSTICE
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**W.P(MD)No.12538 of 2024
and
WMP(MD)No.11392 of 2024**

G.Albin Raj

... Petitioner

vs.

1. The District Collector,
Kanyakumari District,
At Nagercoil.

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

3. The Tahsildar,
Kalkulam Taluk,
Kanyakumari District.

4. The Executive Officer,
Reethapuram Town Panchayat,
Kalkulam Taluk,
Kanyakumari District.

5. Jegan Lal

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the official respondents



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from granting permission for the religious institution (Church) at Survey No.273/17, Irumbilikarai, Reethapuram Village, Kalkulam Taluk, Kanyakumari District, to avoid religious discrimination and law and order problem in the village based on the petitioner's representation dated 25.04.2024 and the representation of the Hindu Munnani dated 16.05.2024 within the stipulated period by this Court.

For Petitioner : Mr.Ananth C.Rajesh
For R1 to R3 : Mr.S.Shaji Bino, Special Government Pleader
For R4 : Mr.N.Satheesh Kumar
Additional Government Pleader
For R5 : Mr.S.Vanchi Nathan

ORDER

R.MAHADEVAN, A.C.J.
AND
G.R.SWAMINATHAN, J.

Heard both sides.

2. The specific allegation of the petitioner is that the 5th respondent has not obtained any permission from the 1st respondent for using the petition mentioned building for religious purpose.

3. When the matter was taken up for hearing, the undertaking affidavit was filed by the 5th respondent that the petition mentioned



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building will be used only for commercial activities and that it will not be put to use for religious activities. The respondents 1 to 4 are mandated to ensure that this undertaking is complied with in letter and spirit. In other words, the petition mentioned building will not be allowed to be used for religious purpose. If the 5th respondent breaches his undertaking not only the authorities can initiate action, the petitioner also will be at liberty to move this Court for contempt.

4. The Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

[R.M.D., A.C.J.] & [G.R.S., J.]
19.06.2024

Index : Yes / No
Neutral Citation : Yes / No
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