



W.P.(MD) No.13012 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.06.2024

CORAM:

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

W.P.(MD) No.13012 of 2024

Stanley Anbu Chezhiyan

... Petitioner

-vs-

1.The District Collector
Madurai District
Madurai

2.The Revenue Divisional Officer
Usilampatti
Madurai District

3.Kirubakaran Rasaiah

4.Karunakaran

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 and 2 to take action against the respondents 3 and 4 with regard to conducting of Prayer Jeba Kootam on 7.00 p.m. and 11.00 p.m. and other activities situated at SDA School Street,



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T.B.Road, Usilampatti, Madurai District and consider the petitioner's representation dated 22.03.2024.

For Petitioner : Mr.K.Guhan

For Respondents : Mr.P.Thilakkumar
Government Pleader for R1 & R2

ORDER

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

Heard the learned counsel for the petitioner and learned Government Pleader for the respondents 1 and 2.

2. Issuance of notice to the respondents 3 and 4 is dispensed with.

3. The petitioner alleges that the petition mentioned building is being used as a place for public religious worship by the private respondents. The petitioner has already given a complaint in this regard.



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4. It is well settled that if a place is to be used for public religious purposes or worship, prior permission from the District Collector must have been obtained. The petitioner's counsel would claim that the respondents 3 and 4 have not obtained any such prior permission. If that be so, it is the duty of the second respondent to take action against the private respondents herein.

5. We direct the second respondent to issue notices to the respondents 3 and 4. If the respondents 3 and 4 have not obtained prior permission from the District Collector, Madurai, in terms of the statutory rules, then the petition mentioned property cannot be used for public religious purposes or worship. We direct the second respondent to pass final orders in this regard, within a period of three months from the date of receipt of a copy of this order. We make it clear that we have not gone into the merits of the matter.



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6. With the above direction, this writ petition is disposed of. No costs.

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

19.06.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

krk / ias

To:

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The Revenue Divisional Officer,
Usilampatti,
Madurai District.



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