



W.P(MD)No.11434 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.11.2024

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD)No.11434 of 2018

and

W.M.P(MD)No.10427 of 2018

The Pentecostal Mission Society,
Having its registered office at
Roja Street, S.V.Nagar Post,
Irumbuliyur,
Chennai – 600 063 and
One of its Branches at
Ariyanallur Pirivu,
Vakkampatty Village,
Athoor Taluk,
Dindigul District.
Represented by its Authorized Signatory,
Brother Yobu Samuel.E

... Petitioner

Vs

- 1.The District Collector,
Dindigul District,
Dindigul.
- 2.The Superintendent of Police,
Dindigul District, Dindigul.
- 3.The Revenue Divisional Officer,
Dindigul Town & District.
- 4.The Tahsildar,
Athoor Taluk, Dindigul District.
- 5.The Vakkampatti Village Panchayat,
Vakkmapatty Village, Athoor Taluk,
Dindigul District,
Represented by its Executive Authority.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned proceedings of the first respondent dated 10.05.2018 in ROC.No.39473/2017/C2 and quash the same consequently direct the first respondent to accord the requested permission in favour of the petitioner Church.

For Petitioner : Mr.N.Dilip Kumar
For RR 1 to 4 : Mr.D.Gandhi Raj
Special Government Pleader
For R – 5 : Mr.K.Saravanan

ORDER

This Writ Petition has been filed challenging the order passed by the first respondent, dated 10.05.2018, thereby rejected the request made by the petitioner seeking permission to construct building for religious purpose to conduct prayers in the land comprised in Survey No.67/21 situated at Vakkampatty Village, Athoor Taluk, Dindigul District.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.



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3.The learned counsel appearing for the petitioner would submit that though the Revenue Divisional Officer has submitted a report in favour of the petitioner, subsequently, on receipt of complaints from the general public, the respondents 4 and 5 conducted a Peace Committee Meeting, in which, submitted a report against the petitioner.

4.On the basis of the said report, the first respondent refused to give permission to construct a prayer hall and hold prayers. Therefore, the petitioner is at liberty to submit a fresh request before the first respondent to construct the building for religious purposes ie., to conduct prayers in the land comprised in Survey No.67/21 situated at Vakkampatty Village, Athoor Taluk, Dindigul District, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the first respondent is directed to conduct an enquiry, on receipt of the report of the respondents 2 and 3 and after giving an opportunity of hearing to the petitioners and pass orders, on merits and in accordance with law, within a period of eight weeks thereafter.



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5. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

11.11.2024

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

To

1. The District Collector,
Dindigul District,
Dindigul.
2. The Superintendent of Police,
Dindigul District, Dindigul.
3. The Revenue Divisional Officer,
Dindigul Town & District.
4. The Tahsildar,
Athoor Taluk, Dindigul District.
5. The Executive Authority,
Vakkampatti Village Panchayat,
Vakkmapatty Village, Athoor Taluk,
Dindigul District.



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G.K.ILANTHIRAIYAN, J.

ps

Order made in
W.P(MD)No.11434 of 2018

11.11.2024