



W.P.No.8980 of 2025

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**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 26.03.2025**

**CORAM :**

**THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

W.P.No.8980 of 2025  
and W.M.P.Nos.10089 & 10090 of 2025

The Tamil District Council of  
the South India Assemblies of God  
Through its authorized person  
Rev.Anandan Alexander K

.. **Petitioner**

**Vs.**

1.The Sub Collector  
Office of the Sub Collector  
Tiruppur, Tiruppur District.

2.Rev.Paramanantham

.. **Respondents**

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus, call for the records pertaining to impugned order issued by the 1<sup>st</sup> respondent vide Na.Ka.2712/2023/A1 dated 05.04.2024 and quash the same as illegal, incompetent and without jurisdiction and further direct the 1<sup>st</sup> respondent permit the petitioner to open the petitioner council situated in T.S.No.328-7-1 in 20<sup>th</sup> Ward, Ramaiya Colony, Municipal Town, Tiruppur and to pass such further order.

*Page 1 of 7*



W.P.No.8980 of 2025

WEB COPY

For the Petitioner : Mr.S.Arivazhagan

For the Respondents : Mr.V.Venkateseshaiya  
Government Advocate for R1  
Mr.K.Gandhi Kumar for R2

### **ORDER**

This Writ Petition is filed challenging the order dated 05.04.2024, in and by which the 1<sup>st</sup> respondent has made a report to the District Collector, Tiruppur. The report inter-alia mentions that the petitioner's side and the 2<sup>nd</sup> respondent's side were heard as A and B parties and peace committee meetings were conducted. However, both parties did not agree on who could perform the prayers and who should manage the Church. Due to the law and order situation, the Church was ordered to be locked and the key being held by the authorities. The report was passed, stating that the parties can seek their remedy before the Civil Court, pending O.S. No. 63 of 2022, or in the pending W.P. No. 31226 of 2022.

2. *Mr.Arivazhagan*, the learned counsel appearing on behalf of the petitioner would submit that the order was passed on the premise as if the Writ



W.P.No.8980 of 2025

WEB COPY

Petition was pending, however, the said Writ Petition was already disposed of. Even in the suit, though it was filed by the 2<sup>nd</sup> respondent herein, there was no interim order in his favour. Therefore, being the District Council, the keys should be handed over to the petitioner and the Church cannot be kept under lock and key, merely on the wrong claim that is made by the 2<sup>nd</sup> respondent.

3. *Per contra*, the learned counsel appearing on behalf of the 2<sup>nd</sup> respondent would submit that the report that is impugned has already been submitted to the Collector, by communication dated 29.09.2024. Thereafter, the 2<sup>nd</sup> respondent filed a Writ Petition in W.P.No.1046 of 2025 and in the said Writ Petition, directions were issued to complete the peace committee meetings and resolve the issue. Therefore, when further order has been passed, pursuant to the said report that is challenged in the Writ Petition, the prayer now raised cannot be countenanced. Still the peace committee proceedings are pending. It is also brought to the notice of this Court that two suits are pending in O.S.No.63 of 2022 and 29 of 2025 on the file of Principal District Munsif, Tiruppur. With respect to the place of worship, the District Collector or the 1<sup>st</sup> respondent cannot decide the issue permanently.



W.P.No.8980 of 2025

WEB COPY

4. It is the case of the petitioner that the petitioner is the District Council, who is in the management of the Church. For some misconduct, the 2<sup>nd</sup> respondent has been moved from the Church and he neither claim to conduct the ceremonies of the Church nor he can interfere with the affairs of the Church.

5. The case of the 2<sup>nd</sup> respondent is that removing him from the church activities is illegal, as the society is administered by the Council in Mumbai, and the petitioner is not an authority under the scheme of management. Therefore, since the 2<sup>nd</sup> respondent is the person who developed the Church and the majority of the devotees support him, he cannot be kept away from the Church.

6. Both sides stick to their position and inspite of the repeated efforts, peace could not be arrived at between the parties. The proceedings that were pending before the 1<sup>st</sup> respondent as well as the District Collector are under Section 107 of the Criminal Procedure Code as well as the peace committee meeting so as to avoid breach of peace under Section 145 of Code of Criminal Procedure. Those things are only interim in nature, only to preserve the law and

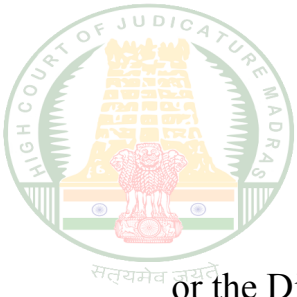


W.P.No.8980 of 2025

WEB COPY

order situation. The petitioner or the 2<sup>nd</sup> respondent have to establish their right before the competent Civil Court and this Court under Article 226 of the Constitution of India cannot decide the issue one way or the other. It is stated that two suits are pending before the Principal District Munsif, Tiruppur. In the said suits, interim applications are also filed. Therefore, when the keys are now with the authorities, the parties can canvass their rights both in the main suit as well as in the interim applications. If any interim order is passed, in favour of any one of the parties, then forthwith, the authority shall handover the keys to the said party, who shall conduct the affairs of the Church and the other party will abide by the Civil Court order and will not interfere in the matter.

7. The learned Principal District Munsif, Tiruppur, is requested to take up both the suits as expeditiously as possible and dispose of the same, in any event not later than six months from the date of receipt / production of the web copy of the order, without waiting for the certified copy. The interim application if any filed or to be filed by the parties can also be taken up and shall be disposed of within a period of 30 days from the date of receipt of the copy of this order. If the parties produce the order that is passed by the Civil Court, the 1<sup>st</sup> respondent



W.P.No.8980 of 2025

or the District Collector shall act according to the findings of the Civil Court.

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8. With the above directions, this Writ Petition stands disposed of. No costs. Consequently, the associated miscellaneous petitions are closed.

26.03.2025

Neutral Citation : No

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To

1. The Sub Collector  
Office of the Sub Collector  
Tiruppur, Tiruppur District.
2. The District Collector, Tiruppur District.

**D.BHARATHA CHAKRAVARTHY, J.**

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W.P.No.8980 of 2025

W.P.No.8980 of 2025

26.03.2025