



W.P(MD)No.237 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.01.2025

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD)No.237 of 2023

Pandarakkutti

... Petitioner

Vs

1.The District Collector,
Kanyakumari District,
Kanyakumari.

2.The Superintendent of Police,
Kanyakumari District,
Kanyakumari.

3.The Executive Officer,
Puthalam Second Grade Town Panchayat,
Puthalam,
Kanyakumari District.

4.Thiru.Kenoes Solomon

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondent Nos.1 to 3 herein to take action against the fourth respondent for using his residential house into prayer hall at D.No.16/14 Puthalam Town Panchayat, Agastheeswaram Taluk, Kanyakumari District.



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For Petitioner : Mr.P.Sivachandran
For R1 & R3 : Mr.D.Gandhi Raj
Special Government Pleader
For R2 : Mrs.M.Aasha
Government Advocate (Crl.side)

ORDER

This writ petition has been filed for a direction, directing the respondents 1 to 3 to take action against the fourth respondent for using his residential house into prayer hall situated at D.No.16/14 Puthalam Town Panchayat, Agastheeswaram Taluk, Kanyakumari District.

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

3. While pending writ petition, the third respondent issued notice to the fourth respondent on 24.01.2023 thereby informed the fourth respondent that without getting any permission, the fourth respondent is conducting the church activities in his residence, therefore, directed the fourth respondent to stop the church activities in his residence, failing which, action will be taken in accordance with law.



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4. Even after the notice, the fourth respondent failed to stop the church activities in his residence and stated that his construction is old one. From the time immemorial, church activities are going on. Therefore, there is no question of obtaining permission to conduct the church activities.

5. Therefore, the first respondent is directed to issue fresh notice to the petitioner and the fourth respondent and to conduct an enquiry after giving an opportunity of hearing and pass appropriate orders in accordance with law.

6. With the above direction, the writ petition is disposed of.

No costs.

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

22.01.2025



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To

- 1.The District Collector,
Kanyakumari District,
Kanyakumari.
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Kanyakumari District,
Kanyakumari.
- 3.The Executive Officer,
Puthalam Second Grade Town Panchayat,
Puthalam,
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G.K.ILANTHIRAIYAN, J.

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