



W.P.(MD)No.2256 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.01.2025**

CORAM:

THE HONOURABLE **MR.JUSTICE G.K.ILANTHIRAIYAN**

W.P.(MD)No.2256 of 2025
and
W.M.P(MD)Nos.1616 & 1617 of 2025

A.A.Thomas

... Petitioner

/Vs./

1.The Additional Chief Secretary to Government,
Home (Cts-VIA) Department,
Secretariat, Fort St. George,
Chennai-600 009.

2.The Inspector General of Registration,
Registration Department,
Santhome,
Chennai-600 028.

3.The District Registrar (Administration),
Office of the District Registrar,
Trichy.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned proceedings issued by the first respondent in G.O.Ms.No.638 dated 20.11.2024 and subsequent communication issued by the second respondent vide No.Vide Ka.No.13646/G1/2020 dated



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29.11.2024 and quash the same and consequently directing the respondents to restore the petitioner's licence as a Pastor Faith Christian Assembly.

For Petitioner : Mr.B.Jameelarasu
For R1 to R3 : Mr.S.P.Maharajan
Special Government Pleader

ORDER

This writ petition has been filed challenging the order passed by the first respondent in G.O.Ms.No.638, dated 20.11.2024 and the communication of the second respondent dated 29.11.2024 thereby revoked the licence of the petitioner as a Pastor Faith Christian Assembly.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself. Heard the learned counsel on either side and perused the materials placed before this Court.

3. The petitioner is a Indian Christian and he was granted licence on 11.03.1993 by the first respondent herein. His licence was also notified in G.O.Ms.No.411. While being so, the second respondent



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issued show cause notice to the petitioner on 11.11.2022 alleging that the petitioner performed marriage between the Indian Christian and Foreign Christian. It is a contravention of provision under Section 9 of the Indian Christian Act 1872. On receipt of the same, the petitioner did not submit any explanation for the show cause notice. Though the learned counsel for the petitioner produced the explanation dated 16.12.2022, there is no proof to show that the said explanation submitted by the petitioner and the same was received by the second respondent. Therefore, after conducting the preliminary enquiry, the second respondent submitted a report dated 16.11.2023 and on receipt of the same, the first respondent revoked the licence of the petitioner by an order dated 20.11.2024. Thereafter, the second respondent communicated the same by its communication dated 29.11.2024 to all the registering authorities.

4. The learned counsel for the petitioner specifically contended that the petitioner was not given an opportunity of hearing and the first respondent passed a non-speaking order. The petitioner duly received the show cause notice dated 11.11.2022, however, the petitioner failed to submit any explanation. If at all any explanation submitted by the



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petitioner, it would have been reflected in the order passed by the first respondent or in the communication of the second respondent dated 16.11.2023. Therefore, there is no question of violation of principles of natural justice.

5. That apart, on perusal of the shows cause notice issued by the second respondent dated 11.11.2022 the petitioner performed the marriages for six persons between Indian Christian of Malaysian citizen, Myanmar Citizen, Philippine Citizen, Srilankan Citizen and Purba Das Citizen.

6. It is relevant to extract Section 9 of the Indian Christian Marriage Act:-

"9.Licensing of persons to grant certificates of marriage between Indian Christians:- The State Government may grant a license to any Christian, either by name or as holding any office for the time being, authorizing him to grant certificates of marriage between Indian Christians.

Any such license may be revoked by the authority by



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which it was granted, and every such grant or revocation shall be notified in the official Gazette."

7. Thus, it is clear that the petitioner was licenced to grant a licence to Marriage between the Indian Christian. If violated this condition, the licence may be revoked by the authority and it shall be notified in the official Gazette. Therefore, the petitioner was rightly issued with show cause notice and his licence was revoked.

8. In view of the above, this Court finds no infirmity or illegality in the order passed by the first respondent and it is liable to be dismissed. Accordingly, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

28.01.2025

Index : Yes / No
NCC : Yes / No
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TO:-

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G.K.ILANTHIRAIYAN, J.

am

Order made in
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Dated:
28.01.2025