



W.P(MD)No.21032 of 2022

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 27.01.2025**

**CORAM**

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

**W.P(MD)No.21032 of 2022**

**and**

**W.M.P(MD)No.15267 of 2022**

A.C.Kannan

... Petitioner

Vs

- 1.The District Collector,  
Nagercoil,  
Kanyakumari District.
- 2.The Revenue Divisional Officer,  
Nagercoil,  
Kanyakumari District.
- 3.The Tahsildar,  
Agatheeswram Taluk,  
Nagercoil, Kanyakumari District.
- 4.The Superintendent of Police,  
Nagercoil,  
Kanyakumari District.
- 5.The Inspector of Police,  
Rajakkamangalam,  
Kanyakumari District.
- 6.The Executive Officer,  
Neendakarai Village,  
Gomathipuram Panchayat and Post,  
Kanyakumari District.
- 7.Rajagirubaharan @ Rajakribakaran
- 8.Rajamani

... Respondents



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**PRAYER:** Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the respondents 1 to 6 to take action against the respondents 7 and 8 for converting their residential house situated in Door No.3/9 comprised in R.S.No.48/12, 13 of Rajakkamangalam Desom, Soorpallam Village, Kanyakumari District into a church without any legal basis by removing the prayer hall of the church and by removing the flex boards placed in the church and by restricting the conduction of prayer within the family members of 7<sup>th</sup> and 8<sup>th</sup> respondents alone and by strictly adhering the provisions of Air (Prevention and Control of Pollution) Act, 1981 and other allied Acts and Rules.

For Petitioner : Mr.C.Kishore

For RR 1 to 3 & 6 : Mr.M.Senthil Ayyanar  
Government Advocate

For RR 4 & 5 : M/s.M.Aasha  
Government Advocate (Crl. Side)

### **ORDER**

This Writ Petition has been filed by the petitioner for a direction directing the respondents 1 to 6 to take action against the respondents 7 and 8 for converting their residential house situated in Door No.3/9 comprised in R.S.No.48/12, 13 of Rajakkamangalam Desom, Soorpallam Village, Kanyakumari District into a church without any legal basis by removing the prayer hall of the church and by removing the flex boards placed in the church and by



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restricting the conduct of prayer within the family members of 7<sup>th</sup> and 8<sup>th</sup> respondents alone and by strictly adhering the provisions of Air (Prevention and Control of Pollution) Act, 1981 and other allied Acts and Rules.

2.Without expressing any opinion on the merits of the Writ Petition, the first respondent is directed to consider the representation of the petitioner dated 30.11.2021 and to conduct an enquiry, after issuing notice to the petitioner as well as the respondents 7 and 8 and also affording an opportunity of hearing to them and pass orders, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

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

**27.01.2025**

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



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**G.K.ILANTHIRAIYAN, J.**

ps

Order made in  
**W.P(MD)No.21032 of 2022**

**27.01.2025**