



Rev.Aplwp.Crl.(MD)No.4 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.11.2025

CORAM :

THE HON`BLE MR.JUSTICE B.PUGALENDHI

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S.Pani Janipar

... Petitioner

Vs.

- 1.The District Collector,
Kanyakumari District,
Kanyakumari.
- 2.The Revenue Divisional Officer,
Agasteeswaram Taluk,
Nagercoil,
Kanyakumari District.
- 3.The Tahsildar,
Agasteeswaram Taluk,
South Thamaraiikulam,
Nagercoil,
Kanyakumari District.
- 4.The Superintendent of Police,
Nagercoil,
Kanyakumari District.
- 5.The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District.
- 6.The Sub Inspector of Police,
South Thamaraiikulam Police Station,
Kanyakumari District.
- 7.Abraham Hendry
- 8.Emerson



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- 9.Jamson Babu
- 10.Petromin
- 11.Thomas
- 12.Jeyanth
- 13.Andra Jegan
- 14.Stanley
- 15.Thainesi Muthu
- 16.Epsibai
- 17.Selvarani
- 18.Rexlin
- 19.Punitha
- 20.Pilomina
- 21.Prathap
- 22.Stalin
- 23.Malar
- 24.Bright
- 25.MashilinRajoola
- 26.Michael
- 27.Reji
- 28.Mallika
- 29.Kala
- 30.Navish

... Respondents

Prayer : Review Application filed under Order 47 Rule 1 & Section 114 of the Civil Procedure Code, to review the order passed by this Court dated 18.08.2025 in WP.CRL.(MD)No.903 of 2025.

For Petitioner	: Mr.S.Ananth
For R4 to R6	: Mr.P.Kottaichamy, Government Advocate(Crl.side)
For R7 to R30	: Mr.Anto Prince



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ORDER

This review application has been filed by the writ petitioner himself to review the order passed in WP.CRL.(MD)No.903 of 2025 dated 18.08.2025.

2.The writ petitioner has filed the above said writ petition seeking a writ of Mandamus directing the respondents 1 to 6 to take action as against the respondents 7 to 30 that they have excommunicated the writ petitioner and his family and also preventing them from worshipping in the temple, namely, Panimaya Madha Annai Alayam. The said writ petition was disposed of by this Court recording the submissions made by the learned Additional Public Prosecutor, on 18.08.2025 that there was no excommunication as projected by the writ petitioner and he has not been restricted from offering his prayer in the temple.

3.The writ petitioner has filed this review application that though a representation has been made by the respondent police in the above writ petition, the church authorities have not provided baptism to his son. According to him, since he has



performed his marriage in a marriage hall, other than the church, he has been excommunicated and this has been taken as a ground for not providing baptism. According to the petitioner, he is the follower of the Roman Catholic and his child can also become a Christian, only by providing baptism by the parish priest of the temple. However, they have not provided baptism.

4.Considering this submission made by the petitioner, this Court has referred this matter to the mediation and appointed Mr.Antony Sahaya Prabahar, learned Additional Public Prosecutor as Mediator in this case.

5.The parish priest of the subject temple has expressed certain difficulties in providing baptism since they are guided by Canon Law. Therefore, they sought some time to complete the procedural formalities under Canon Law and they can provide baptism to the child. Considering this submission, this Court has also suggested the learned counsel for the parish priest to file an affidavit. Accordingly, the parish priest has also filed an affidavit and the relevant paragraphs are extracted hereunder:-

9.I submit that the Petitioner continues to remain as a member of the Parish, entitled to all



spiritual and sacramental privileges within the Church remain intact and unaffected.

10.I submit that the Petitioner submitted an application seeking rectification of his marriage and with regard to baptism of his child. This request was duly received by the Parish and placed before the Parish Council at its meeting for preliminary discussion as per the normal administrative practice of the parish. Subsequently, the Petitioner approached the Diocesan Bishop regarding the same matter for further consideration.

11.I submit that I solemnly affirm and undertake that the rectification of the Petitioner's marriage will be allowed and carried out in accordance with the canonical procedures once all required formalities are completed in accordance with Canon law.

12.I further solemnly affirm and undertake that immediately after the marriage rectification, the baptism of the Petitioner's child will be conducted within the Parish following the ecclesiastical procedures. There is no objection or impediment from the Parish in proceeding with either.

13.I submit that, as part of the canonical requirements to proceed with the rectification of the Petitioner's marriage, two preliminary procedures



are to be completed by the Petitioner as per the canon 1067 of Code of Canon law.

a) **First**, the Petitioner is required to complete the Pre-Nuptial Enquiry Form in my presence, during which the necessary particulars will be recorded and verified in accordance with the established norms of the Parish.

b) **Second**, since the present ceremony is one of rectification of marriage, the customary publication of the marriage banns stands dispensed with, and such dispensation is to be formally granted by the Local Ordinary or his delegate as per the canonical law.

The Extract of Canon 1067 is as follows,

"The Bishops' Conference is to lay down norms concerning the questions to be asked of the parties and concerning the publications of marriage banns or other appropriate means of enquiry to be carried out of a prerequisite for marriage. When he has carefully observed these norms the parish priest may proceed to assist at a marriage."

14.I submit that on 21.11.2025, a Parish Council meeting was convened, during which it was decided that the rectification of the Petitioner's marriage may be permitted in accordance with the canonical norms at the earliest. Pursuant to the said decision, the Petitioner was informed and instructed



to appear in person. At about 10:00 A.M., the Petitioner appeared before me and the Parish Council Executive Committee, and the readiness of the Church to proceed with the rectification ceremony was communicated to him by me as well as by the Vice President of the Parish Council. The Petitioner was asked to select a convenient date so that the rectification of the marriage ceremony could be arranged and conducted promptly as per canonical procedure. It was further conveyed that, thereafter, the baptism of his child would be done at the earliest, subject to the prescribed ecclesiastical procedures in accordance with the code of Canon law.

15. It is hereby made explicitly clear that the Church and the Parish Council is willing to proceed with the rectification of the Petitioner's marriage and, subsequent to its completion, thereafter, to baptize the Petitioner's child according to the canonical procedures established by the Catholic Church. The Church authorities undertake to complete these sacraments without any unnecessary delay once all formal requirements are fulfilled by the Petitioner in accordance with the Code of Canon law.

6. Recording the above said affidavit filed by the parish priest, this review application is closed. This Court places its



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appreciation to Mr.Antony Sahaya Prabahar, learned Mediator
and Mr.Anto Prince, learned counsel for the parish priest.

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South Thamaraiikulam Police Station,
Kanyakumari District.
- 7.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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