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W.P.No.8128 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2026

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.8128 of 2024

And

W.M.P.Nos.9077, 9078, 9079 and 9080 of 2024

THE CHURCH OF SOUTH INDIA
REP. BY ITS CHAIRMAN
REV. DAVID BARNABAS
CSI CHRIST CHURCH
9TH STREET EXTENSION,
GANDHIPURAM,
COIMBATORE – 641 012.

... Petitioner

Vs.

- 1 THE COLLECTOR OF COIMBATORE,
COIMBATORE DISTRICT,
COIMBATORE – 641 018.
- 2 THE SUPERINTENDENT OF POLICE,
COIMBATORE RURAL,
STATE BANK ROAD,
COIMBATORE – 641 018.
- 3 THE INSPECTOR OF POLICE,
KOVILPALAYAM POLICE STATION,
KOVILPALAYAM POST,
COIMBATORE – 642 110.
- 4 THE REVENUE DIVISIONAL OFFICER,
COIMBATORE NORTH,
KAVUNDAMPALAYAM,
COIMBATORE – 641 030.



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5 THE TASILDHAR
COIMBATORE NORTH,
BALASUNDARAM ROAD,
COIMBATORE – 641 018.

6 V.JEEVANANDAM

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari to quash the letter No.25818/2019/E2 dated 16.06.2023 issued by the first respondent as illegal.

For Petitioner : Mr.M.Kamalanathan

For Respondents : Mr.R.Murthi for R1, R4 and R5
Government Advocate
Mr.Meganathan for R2 and R3
Government Advocate
Mr.C.R.Prasannan for R6

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Certiorari to quash the letter No.25818/2019/E2 dated 16.06.2023 issued by the first respondent as illegal.

2.The learned counsel appearing for the petitioner submitted that the petitioner Church is the owner of the property in S.No.1276/3



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(Old S.No.155/2), Kalapatty Village, Coimbatore North Taluk and the Church sought permission to put up additional building in the said land and the first respondent after verifying the land record and after due enquiry granted permission vide proceedings dated 30.01.2010. Whiles, third parties namely, Devarajan and Duraisamy filed a suit in O.S.No.1378 of 2011 on the file of District Munsif Court, Coimbatore seeking to declare the order of the first respondent dated 30.01.2010 as improper and for permanent injunction on the ground that construction of Church in the outskirts of Mariamman Temple is solely for the purpose of conversion and that it may lead to communal tension. Thereafter, the first respondent sent the impugned letter to the fourth respondent requesting to take necessary action to stop the construction works till the disposal of the suit in O.S.No.1378 of 2011.

3.The learned counsel appearing for the petitioner further submitted that perusal of the written statement filed by the first defendant therein/ first respondent makes it clear that the available Village accounts reveal that Mariamman Temple and CSI Church are located in two different survey numbers i.e., 1271/2 and 1276/3 respectively and inbetween these two fields there is a road running and the survey number of the road is 1275. Hence, no law and order



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problem will arise if the construction is made by the petitioner.

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4.The learned counsel appearing for the sixth respondent submitted the sixth respondent is the District Secretary of Hindu Munnani, Coimbatore North District and further submitted that already a suit in O.S.No.1378 of 2011 seeking to declare the order of the first respondent dated 30.01.2010 as improper and for permanent injunction is pending on the file of the District Munsif Court, Coimbatore. Hence, this Court may grant liberty to the petitioner to make fresh application for construction after disposal of O.S.No.1378 of 2011.

5.Heard both sides and perused the materials available on record.

6.Perusal of records reveal that the petitioner Church sought permission to put up additional building in S.No.1276/3 (Old S.No.155/2), Kalapatty Village, Coimbatore North Taluk and the first respondent granted permission vide proceedings dated 30.01.2010. The records further reveal that a suit in O.S.No.1378 of 2011 seeking to declare the order of the first respondent dated 30.01.2010 as



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improper and for permanent injunction is pending on the file of the District Munsif Court, Coimbatore.

7.In view of the above, this Court, without expressing any opinion on the merits of the case, since expressing any opinion will adversely affect the interest of the parties in the suit in O.S.No.1378 of 2011, and without interfering with the impugned letter of the first respondent dated 16.06.2023, grants liberty to the petitioner to make fresh application for construction after disposal of the suit in O.S.No.1378 of 2011 on the file of the District Munsif Court, Coimbatore.

8.The writ petition is disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

28.04.2026

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No



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