Order QR

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-11-2026

CORAM

THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

WP Crl. No. 2420 of 2026

CNR:{HCMA011758542026}

Case QR

1. S.Baskaran
   S/o Subramani,
   NO.98/2, 116, C Pudhar Street,
   Perumugai,
   Vellore.

2. Renikamary Mani
   W/o Mani,
   NO.94/1/2,
   Pudhar Street,
   Perumugai,
   Vellore.

3. Jayamary Samuel
   W/o Samuel,
   NO.48/67, Kamaraj Nagar,
   SIPCOT,
   Ranipet Industrial Estate,
   Vellore.

..Petitioners

Vs

1. The District Collector
   Collectorate Building,
   Vellore

2. The Superintendent of Police
   Vellore.

3. The Revenue Divisional Officer (RDO)
   Collectorate Building,
   Vellore.

4. The Tahsildar
   Aarani Road,
   Velapadi, Vellore.

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5. The Inspector Of Police
   Sathuvacheri Police Station,
   Rangapuram,
   Vellore.

6. Rev.J.Jerad James
   Presbyter-in-charge,
   CSI St. Peter Chruch,
   Perumugai having officer at B-29,
   Sathuvachari,
   Vellore.

..Respondents

To issue a Writ of Mandamus directing the respondents particularly the 5th respondent/Inspector of Police, Sathuvachari Police Station, Vellore by considering the petitioner's representation, to forthwith hand over the keys of St.Peters Church situated in Survey No.110, Patta No.356, Perumugai Village, Vellore to the petitioner who is the lawful owner and person entitled to the possession, administration and management of the said church property, and consequently forbear the respondents from handing over the keys or possession of the church to any third party or interfering with the petitioners peaceful possession, administration and conduct of religious worship except by due process of law.

For Petitioner : Ms.L.Sharu Angelin

For Respondents : Mr.B.Prashanth Nadaraj,
Government Advocate for R1, R3 & R4

Mr.S.Yogaraja Sekar,
Counsel for Government of Tamil Nadu
(Criminal Side) for R2 and R5

M/s.J.Edison Gnanaraj for R6

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The petitioner claims the ownership of the property situated in S.No.110, Perumugai Village, Vellore District. On account of certain disputes that arose between the petitioner and the private respondent, it ended up as a criminal complaint in crime No.182 of 2019 on the file of the Sathuvachari Police Station, Vellore District. Subsequently, Section 107 proceedings were initiated and the keys were retained by the Police.

2. Subsequently, the petitioner was removed from the membership of CSI. Therefore, the present Presbyter-in-charge filed a writ petition in WP.Crl.No.1460 of 2025. By an order dated 07.07.2026, this court directed the keys to be handed over to the writ petitioner/sixth respondent herein. Aggrieved by the said fact, the petitioner is before this Court.

3. The petitioner alleges that the CSI claims the property belongs to them whereas according to the petitioner it belongs to CSI, St. Peters Church Society.

4. Whether the property belongs to St. Peters Church Society or CSI cannot be decided in this writ petition. The petitioner has rightly invoked the jurisdiction of the Court of the Chief Judicial Magistrate-cum-Special Court for

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LOP cases at Vellore by way of a civil proceeding in O.S.No.500 of 2024. When the order passed by this Court in W.P.Crl.No.1460 of 2025 dated 07.07.2026 continues to be in force, the relief that the petitioner seeks for in this writ petition cannot be granted.

5. If the relief that Ms.L.Sharu Angelin wants in this writ petition is granted, it will be directly in opposition to the relief that had been granted in W.P.Crl.No.1460 of 2025. Ms.L.Sharu Angelin argues that the petitioner was not a party to the said writ petition. Factually, she is right. Yet, I am not sitting on an appeal against the order passed by this Court in W.P.Crl.No.1460 of 2025 dated 07.07.2026. Taking the overall perspective and consideration, in the event, the petitioner in this writ petition secures an interim order in OS.No.500 of 2024, then the handing over of keys to the writ petitioner will be subject to the orders passed in the pending suit.

6. Obviously, the issues have been framed and are being agitated before the properly constituted civil forum. This court could not have decided as to who is the owner of the property. The handing over of the keys, pursuant to the order passed by the court, neither deprives the right of the petitioner nor does it create a fresh right in favour of the sixth respondent. All the orders passed are subject to the results of the pending suit and the interlocutory applications pending therein.

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7. The petition stands dismissed in the above terms.

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

To

1. The District Collector
   Collectorate Building,
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4. The Tahsildar
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5. The Inspector Of Police
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   Vellore.

6. The Public Prosecutor,
   High Court of Madras

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V.LAKSHMINARAYANAN J.

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