



W.P.Crl.(MD)No.2827 of 2026

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.05.2026

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

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D.Mervinson,
Managing Trustee,
Aathma Meetpu Ministries,
No.17-47/4, Balamore Road,
Azhagiypandiyapuram – 629 851,
Kanyakumari District.

... Petitioner

Vs.

- 1.The Superintendent of Police,
Kanyakumari District,
Nagercoil.
- 2.The Deputy Superintendent of Police,
Kanyakumari Sub Division,
Kanyakumari.
- 3.The Inspector of Police,
Poothapandi Police Station,
Kanyakumari District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for records pertaining to the impugned order passed by the 3rd respondent in his proceedings dated 17.05.2026 and consequently direct the 3rd respondent to



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give necessary police protection based on the representation dated 11.05.2026 for conducting peaceful convention programs and religious prayers at the property owned by the petitioner's Trust situated at Survey No.700/5B, Balamore Road, Azhagiyapandiyapuram, Thovalai Taluk, Kanyakumari District.

For Petitioner : Mr.A.C.Vinayagarajan

For Respondents : Mr.Abdul Kalam Azad
Government Advocate (Crl. Side)

ORDER

The present Writ Petition has been filed seeking to quash the order passed by the third respondent herein on 17.05.2026, wherein, the request of the petitioner Church to conduct a convention meeting in the building has been rejected.

2. According to the learned counsel appearing for the petitioner, the convention meeting is going to be conducted in a closed hall and there cannot be any objection to anyone of the parties.

3. The learned counsel appearing for the third respondent submitted that the Executive Officer of Azhagiyapandiyapuram Town Panchayat has lodged a



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police complaint to the effect that the building is an unauthorised building and despite warnings, the petitioner has proceeded to continue with the construction work. In such circumstances, they cannot be permitted to conduct any meeting or function in the said hall.

4. The learned counsel appearing for the third respondent further submitted that in view of the unauthorised construction, a rival group belonging to a different religion has also lodged a complaint and they have made a request for conducting a function in the same place and therefore, there is a law and order problem.

5. A perusal of the impugned order does not reveal anyone of the above reasons. It is settled position of law that additional reasons cannot be assigned at the time of submission or in the counter, unless they are specifically pointed out in the impugned order.

6. In view of the aforesaid facts, the order impugned in the Writ Petition is set aside and the matter is remitted back to the file of the third respondent. The third respondent is directed to give an opportunity to the writ petitioner and thereafter, proceed to pass orders in accordance with law.



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7. With the above observations, this Writ Petition stands allowed. There shall be no order as to costs.

20.05.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
Lm

To

- 1.The Superintendent of Police,
Kanyakumari District,
Nagercoil.
- 2.The Deputy Superintendent of Police,
Kanyakumari Sub Division,
Kanyakumari.
- 3.The Inspector of Police,
Poothapandi Police Station,
Kanyakumari District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR, J.

Lm

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