

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26-10-2021

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WP No.887 of 2015

And

MP No.1 of 2015

The Pentecostal Mission
(Church), Represented by Pastor Branch Incharge,
Thoppampalayam Branch,
Bhavani Sagar Road,
Thoppampalayam 638 415,
Erode District.

.. Petitioner

vs.

1. The District Collector,
Erode District,
Erode.
2. The Revenue Divisional Officer,
Gobichettipalayam Revenue Division,
Erode District.
3. The Tahsildar,
Sathiyamangalam Taluk Office,
Erode District.
4. The Deputy Superintendent of Police,
Sathiyamangalam Range,

Sathyamangalam Taluk,
Erode District.

5.The Sub-Inspector of Police,
Thoppampalayam Police Station,
Sathiyamangalam Taluk,
Erode District.

6.The Village President
Thoppampalayam Village Panchayath,
Thoppampalayam Village,
Sathiyamangalam Taluk ,
Erode District.

7.Odhisamy

8.The Chief Secretary to Government,
State of Tamil Nadu,
Secretariat,
Fort St. Goerge,
Chennai – 600 009.

(R-9 suo motu impleaded by order of
Court dated 26.10.2021 in WP 887 of 2015)..

Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records of the third respondent in respect of the impugned proceedings, dated 03.12.2014 and quash the same as arbitrary, unconstitutional, unjustifiable and illegal and direct the respondents 1 to 5 to give necessary protection to the petitioner to carry on the religious activities in the petitioner's place at the Pentecostal Mission (Church),

Thoppampalayam Branch, Bhavani Sagar Road, Thoppampalayam 638 415,
Erode District.

For Petitioner : Mr.R.Munuswamy

For Respondents-1 to 5 and 8 : Mr.K.M.D.Muhilan,
Government Advocate.

For Respondent-6 : Mr.I.Arokiasamy

For Respondent-7 : Mr.G.Karthikeyan

ORDER

The Minutes of the Meeting recorded by the third respondent-Tahsildar in proceedings dated 03.12.2014, is under challenge in the present writ petition.

2. Further direction is sought for in the writ petition is to direct the respondents 1 to 5 to give necessary protection to the petitioner to carry on the religious activities in the petitioner's place at the Pentecostal Mission (Church), Thoppampalayam Branch, Bhavani Sagar Road, Thoppampalayam 638 415, Erode District.

3. The petitioner states that one of the Branches of Pentecostal Mission (Church), having their Head Office at Roja Street, S.V.Nagar Post, Irumbuliyur, Chennai-600 063. The petitioner is in Gospel Service to the Christian Community without causing any nuisance and inconvenience to the public at large.

4. The petitioner is the registered Society under the Societies Registration Act vide Registration No.19/1963. The petitioner is one of the Branches of the said Pentecostal Mission (Church), carrying on their Gospel Service in the aforesaid Thoppampalayam Village for the past 23 years. Admittedly, the petitioner started the Church at Thoppampalayam Village in the year 1993. The petitioner purchased the land for the purpose of putting up a permanent structure in the site and an approval was obtained from the Authorities concerned.

WEB COPY

5. The petitioner is enjoying the necessary basic amenities, including electricity connection, drinking water facility. The petitioner has

decided to renovate and put up a new concrete structure with larger extent for the purpose of accommodating huge gathering for conducting prayers with all basic amenities. In this regard, the petitioner submitted a Building Plan Application for approval to the sixth respondent along with necessary papers in June 2014.

6. It is contended by the petitioner that the sixth respondent informed the petitioner to proceed with construction. However, there is no such order passed during the year 2014. The revised building approval has not been sanctioned and the said Building Plan Application was returned by the Authorities. However, the petitioner states that they have commenced the construction even before grant of Building Plan Approval based on the application of the year 2014.

7. It is further contended that the construction works are halfway through and during the first week of August 2014, few persons representing themselves to be the members of Hindu Munnani came to the petitioner's site and started preventing the members of petitioner's from

proceeding with the construction. They have frequently prevented the petitioner's Church from conducting prayer in the petitioner's site. There was a law and order situation and peace meetings were conducted. A decision was taken in the meeting that the petitioner shall not make noise and further was advised to reduce the noise.

8. Construction of building is yet to be completed and it is contended that they have to get proper Building Plan Approval. People of the village shall not disturb the Church activities. Both the parties were advised not to create trouble affecting the public order. Under these circumstances, the petitioner is constrained to move the present writ petition questioning the Minutes recorded by the third respondent-Tahsildar in the presence of the Authorities, the village people as well as the Church people.

9. The first Peace Committee proceedings were accepted by the petitioner and the Minutes recorded on 03.12.2014, which is impugned alone was objected by the petitioner. The impugned Minutes proceedings reveal that no oral permission was granted to the petitioner to proceed with

the construction without Building Plan Approval. The building is to be constructed only after getting the Building Plan Approval from the Competent Authorities and the other resolutions are relatable to the submission of application for Building Plan Approval and grant of permission under the provisions of the Tamil Nadu Combined Development and Building Rules, 2019 Annexure XVII, clause 6.

10. The learned counsel for the petitioner made a submission that the petitioner is doing Gospel Service in a peaceful manner without affecting the rights of the people of that village. Thus, they may be permitted to continue their services.

11. Per contra, the learned counsel appearing on behalf of the seventh respondent objected the said contention by stating that the petitioner is using loudspeaker and creating noise pollution even during midnight and in the early morning hours. They are creating noise during night hours, which is causing greater inconvenience to the people of that locality, more specifically, children, sick and aged people. Thus, the people

of that village raised objections.

12. The petitioner proceeded with the construction works without obtaining proper Building Plan Approval from the Competent Authorities. For construction of Religious Institutions, prior approval is mandatory under the provisions of the Act and the Rules and it is to be considered with reference to objections and restrictions. Thus, the people raised objection for such Gospel Service by the petitioner, which is causing greater inconvenience to the people of that locality.

13. The learned counsel for the seventh respondent made a submission that the petitioner shall not be permitted to continue their Gospel Service without obtaining proper Building Plan Approval from the Competent Authorities and further, they shall not be permitted to use the loudspeakers or boxes in violation of the Noise Pollution Rules. At the outset, it is contended that illegalities being committed by the petitioner should be prevented by the Competent Authorities.

14. It is relevant for this Court to consider the counter-affidavit filed by the fifth respondent-Police. The facts prevailing in respect of the activities carried on by the petitioner has been narrated by the fifth respondent-Police in their counter-affidavit, more specifically, in paragraphs 3, 4 and 5, which read as under:-

“3. I submit that with regard to the averments in Para Nos.1 to 4, it is true that The Pentecostal Mission (Church) has started their religious service at Thoppampalayam Village, Sathiyamangalam Taluk, Erode District, since 1993 in a small tiled house, nearby the place where an old Hindu Temple exists for time immemorial. There are about 40 Hindu Families and only two Christian Families are living around the place where the above Church is situated. Gradually, people from neighbouring villages such as Thottampalayam, Mudukkandurai and the many refugees from Bhavanisagar Refugee Camp started participating in the Church meetings at the above place. Hence, the number of members visiting the Church has increased from 20 to 120. They

continue their worship and prayers till 2013, without erecting any loudspeaker or bands. Thereafter they have installed loudspeakers and used noisy bands to conduct prayers throughout the day and night, thus causing disturbance to the children, students and people living in the vicinity of the Church leads to religious disharmony and unrest. The public has sent several representations against the Church to the District Authority to CM Cell. Meanwhile, during the month of June 2014, the Church demolished its part of old structure with tiled roof and carryout construction activities to expand it by put up concrete structure with larger extent, without obtaining proper building permission from the concerned authorities.

4. I submit with regard to the averments in Paras 5 to 7 that, on 18.08.2014 local people raised objection for heavy noise from the Church and its nuisance to neighbours, which end in melee. A complaint was filed by one Mr.Odhisamy for himself and on behalf of local people before the Bhavanisagar Police Station that one Ms.Malliga, W/o.Sakthivel, who has

been looking after the Church used filthy language, abused and intimidated them. Based on the complaint, enquiry was conducted and FIR was filed against the said Ms.Malliga, in Cr.No.186/14, under Sections 294(b) and 506(i) of IPC and the same is pending in CC No.220 of 2014 on the file of Judicial Magistrate, Sathiyamangalam. The hostility between the rival groups continued, there were complaints and counter complaints against each other, resulted in law and order issue. Therefore, I submitted petition to the Sathiyamangalam Tahsildar, for his intervention to resolve the issue amicably. This respondent has no knowledge about the alleged Post Card with threatening messages from the seventh respondent to the petitioner. The petitioner never brought the same to the knowledge of the local Police.

5. I submit with regard to the averments in Para Nos.7 to 10, it is learnt that the Tahsildar of Sathiyamangalam Taluk has conducted the Peach Committee Meeting with the parties concerned in the presence of Revenue Divisional Officer on 23.08.2014, in which it was stated that

the Church has agreed to conduct the prayer without noise and disturbance to the neighbours. They have also agreed to make alteration and necessary provisions in the building in order to reduce the noise. But the Church proceeded the construction of additional structures without obtaining Building approval from the concerned authorities. The public of Thoppampalayam village has petitioned to the District Collector against the Church people that they raising illegal construction erecting loudspeakers, using bands, creating nuisance to general public, intimidating and threatening the public with dare consequences etc., which was forwarded to the local Police Station for enquiry. During the enquiry the Church informed that they proceed the construction with due permission. However, the response from the President of the local Panchayath revealed that there was no such permission as claimed by the Church”.

WEB COPY

15. The learned Government Advocate, appearing on behalf of the respondents 1 to 5 and 8, relying on the counter-affidavit contended that

the religious activities cannot be permitted without obtaining proper approval from the Authorities. Building Plan Approval is a mandatory condition under the provisions of the Act and the Rules. Usage of loudspeakers are totally prohibited and creation of noise beyond the prescribed level is prohibited under the Noise Pollution Rules. Thus, the petitioner is bound to abide by the Rules and Regulations in all respects for the purpose of continuing the Gospel Services in the particular place.

16. The counter-affidavit of the fifth respondent reveals that the petitioner is using loudspeakers and use noise bands to conduct prayers throughout the day and night and thereby causing disturbance to the children, students and aged people living in the vicinity of the Church. Further, it creates religious disharmony and unrest in that locality. The law and order situation created on account of such disturbance and nuisance, provided cause for the Authorities to initiate action by conducting Peace Committee Meeting and to maintain peace and public order.

17. The fifth respondent also contended that proper Building

Plan Approval is yet to be obtained from the Authorities concerned before commencing the construction work. Mere submission of application is insufficient for the purpose of continuing the construction activities. Based on these grounds, the respondents 1 to 5 made a submission that the present writ petition is to be rejected.

18. The larger issue to be considered by this Court is about the religious right to be exercised by the citizen under Article 25 of the Constitution of India. Article 25 sub-clause (1) unambiguously stipulates that subject to public order, morality and health and to the other provisions of Part III, all persons are equally entitled to freedom of conscience and the right freely to profess, practise and propagate religion. Thus, the fundamental right under Article 25 of the Constitution of India is subject to public order, morality and health.

19. Right to life under Article 21 is an absolute fundamental right and exercise of fundamental right under Article 25 is undoubtedly subject to the right to life enunciated under Article 21 of the Constitution of

India. Thus, every citizen while exercising the right under Article 25 is duty bound to borne in mind that the right to life of other citizen is to be respected. In the event of any violations, such violations or otherwise are actionable. Thus, Article 25 imposes certain conditions for exercise of religious rights subject to public order, morality and health includes many issues in the interest of public and the Authorities Competent in the event of violations are empowered to initiate action. Thus creating nuisance is an offence punishable under the Indian Penal Code. Noise pollution over and above the prescribed level is also an offence which all are actionable under the relevant provisions of the Act and Rules. Construction of any Religious Institutions without proper approval under relevant Statute is actionable, for the purpose of initiation of action to demolish any such unauthorised construction or religious institutions.

20. No person can be allowed to commit any illegality merely on the ground of sentiments of the people or under the guise of religious rights, any such sentiments leading to illegality can never be tolerated by the State and its Authorities. Any leniency would lead to infringement of

fundamental rights of the other citizen and therefore, the State is duty bound to ensure that all such religious rights are being exercised by any citizen in the manner contemplated and to the extent permissible under the Constitution of India. Merely by creating sentiments in the public or in any religious places, no person can be allowed to carry on any such illegal activities or otherwise. Encroachments, usage of loudspeakers causing disturbance and nuisance are to be viewed seriously and all necessary actions are to be initiated for the purpose of restraining such persons from creating such nuisances or disturbances to the public at large.

21. Unity in diversity is the principle enunciated under the Indian Constitution. Unity can be preserved only when the Authorities controlled the illegalities being committed in the name of the religion or otherwise. Thus, the religious rights are subject to conditions and subject to the rights of the other citizen and hence, it is to be borne in mind that religious right under Article 25 can never be an absolute fundamental right and subject to the rights of other citizen and subject to the laws in force. The laws enforceable are to be considered by this Court.

22. For construction of Religious Institutions, the Tamil Nadu District Municipalities Act, Tamil Nadu Panchayats Act or respective Corporation Acts are providing procedures and conditions. Building Plan Approval is to be obtained for construction of Religious Institutions. The manner in which such applications are to be considered also enumerated under the provisions of the Act and the Rules. All such applications submitted for construction of Religious Institutions are to be considered strictly in accordance with the provisions of the Act and the Rules. Construction of Religious Institutions should not affect the peaceful living of the people in that particular locality. Thus, the Authorities are expected to be cautious, while granting permission to construct Religious Institutions and in the name of religion, the people should not venture into such activities, which all are detrimental to the public order or affecting the peaceful living of the people in that locality. Therefore, approval for construction of Religious Institutions are to be regulated in such a manner respecting the constitutional rights of all citizens and the Authorities cannot deal with such applications in a casual manner. Thus, every such application

submitted for construction of Religious Institutions must be considered in the manner contemplated under the provisions of the Act and the Rules and also taking into consideration the fundamental rights of the citizens, including the right to life enunciated under Article 21 of the Constitution of India.

23. More elaborately the consideration of application cannot be confined with reference to the provisions of the Act and the Rules, in view of the fact that Article 25 of the Constitution of India imposes conditions of public order, morality and health. Thus, beyond the scope of the provisions of the Act and the Rules, the spirit of the constitution must prevail over and the spirit and perspectives involved in Article 25 of the Constitution must be taken into consideration by the Authorities Competent, while considering any such application for grant of permission for construction of Religious Institution and performance of the religious activities. Each word in Article 25 denotes and provides larger implications and rights of the citizen. When freedom to exercise religious right is subject to public order. Likelihood of disputes, likelihood of religious disheartening and various other related acts

are to be considered. While considering application for the purpose of grant of permission for construction of religious institutions, morality perhaps would provide and keeping all other aspects, health is of more importance. Now health being an integral part of Article 21 of the Constitution of India, the rights of children, sick and aged people and the rights of citizen in general for good health are all to be taken into consideration.

24. In our country, it is most common that many such Religious Institutions are causing nuisance and disturbances. Imagine a situation of any person after hard work going to bed for sleep and during mid night or early morning if he is disturbed on account of usage of loudspeaker certainly it creates not only mental agony but also leads to mental depression. Thus, peaceful living and health can be ensured only if such irregular and illegal activities are controlled by the Authorities. Every citizen has got fundamental right of peaceful living and health being integral part of Article 21 which provides right to life. Thus the Authorities must ensure that such valuable right to life for all the citizen is protected and it is the duty of the State to provide such protection to every citizen of

this Great Nation.

25. Coming to the relevant Rules with reference to the writ petition on hand, the Tamil Nadu Panchayat Building Rules, Rule 4 sub-clause (3) stipulates that “no site shall be used for the construction of a building intended for public worship or religious purposes without the prior approval of the Collector of the district who may refuse such approval, if in his opinion, the use purpose of the site and building is likely to endanger public peace and order.”

26. The above said Rule is in consonance with the conditions enumerated under Article 25 sub-clause (1) of the Constitution of India. The Rule itself contemplates that the approval is to be granted only if there is any likelihood to endanger public peace and order and thus, if there is any public likelihood of endanger of public peace and order, then no permission is to be granted for the construction of a building intended for public worship or for religious purposes.

27. As far as the writ petitioner is concerned, the Planning

Permission was obtained on 07.09.1998. The petitioner had intended to develop the Church by carrying out renovation and by constructing additional building. The application was submitted in the year 2014. However, the said application was not considered so far. Meanwhile, law and order problems were created. The people of that village raised objections. The Peace Committee Meetings were conducted. In the meanwhile, the petitioner carried out construction in peace meal.

28. This being the factum established, this Court is of the considered opinion that the petitioner cannot continue the construction works without getting approval of Building Plan from the Competent Authorities. The Competent Authorities are duty bound to consider the application strictly in accordance with the Act and the Rules and also taking into consideration the conditions imposed under Article 25 of the Constitution of India in respect of maintenance of public order, morality and health of the people residing in nearby vicinity and the people of that village.

29. The fifth respondent-Police filed counter-affidavit stating that the writ petitioner is using loudspeakers and using noisy bands to conduct prayers throughout the day and night. That created the law and order issue in that locality. It is contended that the usage of loudspeakers are causing nuisance and disturbance to the children and the people of the Church. In this regard, it is needless to state that the Authorities Competent are bound to initiate action in accordance with law.

30. It is relevant to consider the Noise Pollution (Regulation and Control) Rules, 2000, which was published in the Gazette of India vide S.O. 123(E) dated 14.02.2000 and subsequently amended on 22.11.2000, 11.10.2002, 19.09.2006 and 11.01.2010 under the Environment (Protection) Act, 1986.

31. Under the Noise Pollution (Regulation and Control) Rules, 2000, the Authorities are bound to initiate action if violations are brought to their notice or complaints are made. Rule 2(c) defines 'Authority' means and includes any authority or officer authorized by the Central Government, or

as the case may be, the State Government in accordance with the laws in force and includes a District Magistrate, Police Commissioner, or any other officer not below the rank of the Deputy Superintendent of Police designated for the maintenance of the ambient air quality standards in respect of noise under any law for the time being in force”.

32. Rule 5 imposes restrictions on the use of loud speakers / public address system and sound producing instruments. Sub Rule (1) contemplates "a loud speaker or a public address system shall not be used except after obtaining written permission from the authority". Sub Rule (2) denotes “a loud speaker or a public address system or any sound producing instrument or a musical instrument or a sound amplifier shall not be used at night time except in closed premises for communication within, like auditoria, conference rooms, community halls, banquet halls or during a public emergency”.

WEB COPY

33. Rule 7 stipulates 'complaints to be made to the Authority'.

Sub Rule (2) to Rule 7 contemplates “the Authority shall act on the

complaint and take action against the violator in accordance with the provisions of these rules and any other law in force”.

34. Rule 8 provides “power to prohibit etc. continuance of music sound or noise” and Schedule provides “Ambient Air Quality Standards in respect of Noise”.

35. In respect of the actions to be initiated Environment (Protection) Act, 1986, more specifically Section 15 provides 'Penalty for Contravention of the Provisions of the Act and the Rules, Orders and Directions'. The noise pollution, regulation and control rules are notified under the provisions of the Environment (Protection) Act, more specifically, by invoking Section 25. Thus if any violations of such Rules or directions are established/ proved, then penalty for contravention of the provisions of the Act and also the Rules are to be imposed.

WEB COPY

36. Sub section (1) to Section 15 of the Environment (Protection) Act, 1986 contemplates “whoever fails to comply with or

contravenes any of the provisions of this Act, or the rules made or orders or directions issued thereunder, shall, in respect of each such failure or contravention, be punishable with imprisonment for a term which may extend to five years with fine which may extend to one lakh rupees, or with both, and in case the failure or contravention continues, with additional fine which may extend to five thousand rupees for every day during which such failure or contravention continues after the conviction for the first such failure or contravention”.

37. Therefore, laws in force are to be enforced by the public authorities. It is not as if the laws are enacted for the purpose of keeping it in Books. Thus the Authorities are to be sensitised to protect the fundamental rights of every citizen of this Great Nation. Our country had enacted effective and efficient laws in order to protect the rights of the citizen. However, its implementation lacks. Thus, the Authorities are to be sensitised. They can never be allowed to take a partisan attitude in the matter of implementing the laws in force. Non implementation or improper implementation must be viewed seriously as it infringes the rights of the

citizen at large.

38. In a vibrant democracy, the rights of the citizen are valuable and paramount importance. Of course fundamental duties are to be borne in mind and reminded off. Fundamental duties under Article 51-A of the Indian Constitution must go together with the rights and the duties are corresponding in nature and thus, exercise of rights is to be done only keeping in mind the duties involved. Any Religious Institution exercising their right must be reminded off their duties towards other citizen, upon whose rights are also to be protected. Unfortunately such situation is not prevailing in this Great Nation in view of the lackadaisical approach of the Authorities in the matter of dealing with the violations and infringement of the rights.

39. One may form an opinion that it would be sensitive if any actions are initiated. However, they are forgetting the other side that inaction will lead to further chaos. Thus actions then and there on noticing the irregularities and illegalities are of paramount importance, which is the

duty mandated on the authorities.

40. Importantly, Section 19 of the Environment (Protection) Act, 1986 contemplates 'cognizance of offences'. Accordingly a complaint is to be made by the persons. Thus sub clause (b) to Section 19 empowers the any person given a complaint by issuing notice of not less than 60 days. Thus any person is empowered to send complaint in the manner prescribed.

41. This Court is of the considered opinion that all Religious Institutions must adhere to the Rules of law for the purpose of conducting their respective religious activities. Any such religious activities affecting the rights of the other citizen and any infringement of rights under the Constitution of India must be viewed seriously and all appropriate actions are to be initiated in the event of any complaint or otherwise.

42. The prevailing situation cannot be brushed aside by this Court. The prevailing situation though painful is to be improved only through effective actions of the Public Authorities. There are many

Religious Institutions across the State of Tamil Nadu are violating the noise pollution and Regulation Control Rules and the provisions of the other Statutes. However officials are insensitive in the matter of initiation of actions regarding such violations. Thus, the State is duty bound to sensitise the Authorities for the purpose of protection of the fundamental rights of the citizen of our Great Nation.

43. Enacting the Laws or insufficient implementation of Laws are to be deprecated. Laws are enacted to protect the rights of the citizen under the Constitution. If such Laws are not implemented effectively, then also we are committing an act of unconstitutionality. Thus, unconstitutionality is not only relatable to the provisions of the Statute, but also relatable to an ineffective or non-implementation of the Statutes resulting violations of rights ending unconstitutionality. Thus, the State must act in consonance with the constitutional principles and the laws enacted for the purpose of protecting the rights of the citizen, more specifically, with reference to the religious rights.

44. In view of the fact that many such complaints are raised across the State of Tamil Nadu and many people are hesitating to inform and submit complaint in these aspects as they are afraid of giving such complaints on account of religious sentiments, and due to fanatic approach of few fringe groups.

45. It is the duty of the State to issue appropriate orders regulating the activities of the Religious Institutions and to ensure the right of the citizen in general. One cannot recuse that common men are afraid of giving complaint against Religious Institutions. In such circumstances, the State being the custodian is duty bound to initiate action under the relevant provisions of law and for this purpose, this Court is inclined to suo motu impleaded the Chief Secretary to Government State of Tamil Nadu, Secretariat, Fort St. George, Chennai-600 009, for the purpose of issuing necessary directions/circulars/instructions to all the Competent Authorities across the State of Tamil Nadu, so as to ensure all appropriate actions are initiated in respect of the illegalities and irregularities and violations in the matter of religious activities, including noise pollutions and building

violations etc. Mr.K.M.D.Muhilan, learned Government Advocate took notice on behalf of the impleaded eighth respondent.

46. The learned counsel for the petitioner made a submission that in respect of the old construction Building Plan approval was obtained in the year 1998. However, the said approval is also to be verified by the Authorities Competent, so as to ensure that the constructions are made in accordance with the approval.

47. In view of the facts and circumstances, the following orders are passed:

(1) The relief, as such, sought for in the present writ petition stands rejected.

(2) The complaint against the petitioner is to be looked into by the Competent Authorities/respondents and all appropriate actions are to be initiated with reference to the provisions of the relevant Act and the Rules.

(3) The eighth respondent is directed to issue appropriate directions/instructions/circulars to all the Competent Authorities across the

State of Tamil Nadu to ensure all appropriate actions against violations of the noise pollution regulation and control Rules, 2000 and in respect of building violations in the matter of construction of Religious Institutions.

(4) The eighth respondent is directed to issue directions so as to ensure that complaints filed in this regard are acted upon immediately and all appropriate actions are initiated by following the procedures as contemplated under law. Any inaction, negligence or dereliction of duty in this regard by the Police Authorities and other Departmental Authorities must be viewed seriously and disciplinary actions are to be initiated against all such officials for such lapses, negligence or dereliction of duty.

(5) It is made clear that the petitioner may continue their religious activities only after getting proper Building Plan Approval from the Competent Authorities and in accordance with the laws in force for continuing their religious activities. Any unauthorised construction is to be demolished by the Authorities Competent by following the procedures as contemplated.

48. With the above directions, the writ petition stands disposed

of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

26-10-2021

Index : Yes/No.

Internet : Yes/No.

Speaking Order/Non-Speaking Order.

Svn

To

1. The District Collector,
Erode District,
Erode.

2. The Revenue Divisional Officer,
Gobichettipalayam Revenue Division,
Erode District.

3. The Tahsildar,
Sathiyamangalam Taluk Office,
Erode District.

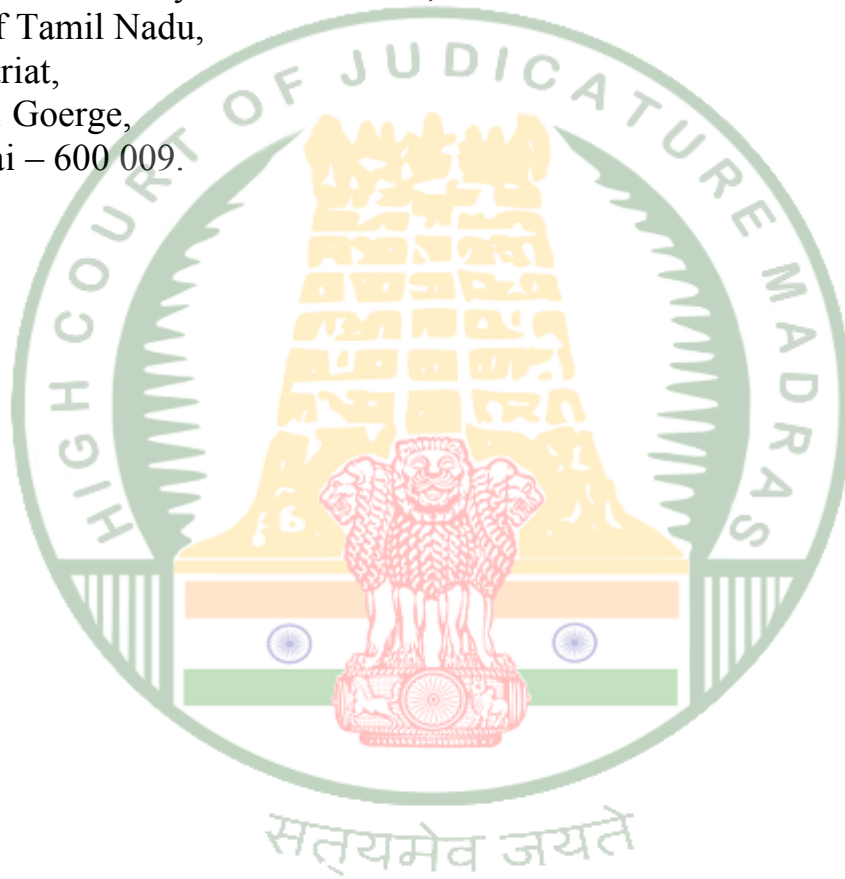
4. The Deputy Superintendent of Police,
Sathiyamangalam Range,
Sathiyamangalam Taluk,
Erode District.

5. The Sub-Inspector of Police,
Thoppampalayam Police Station,
Sathiyamangalam Taluk,
Erode District.

32/34

6.The Village President
Thoppampalayam Village Panchayath,
Thoppampalayam Village,
Sathiyamangalam Taluk ,
Erode District.

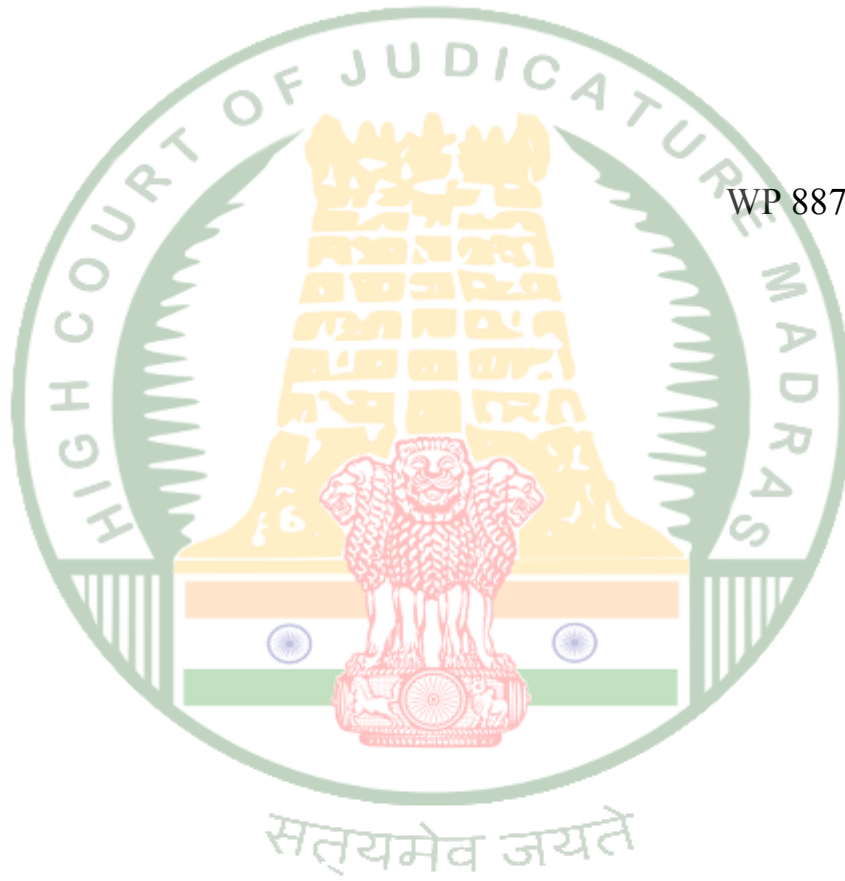
7.The Chief Secretary to Government,
State of Tamil Nadu,
Secretariat,
Fort St. Goerge,
Chennai – 600 009.



WEB COPY

S.M.SUBRAMANIAM, J.

Svn



WP 887 of 2015

WEB COPY

26-10-2021