



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-07-2026

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THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

WP No. 4133 of 2026

and

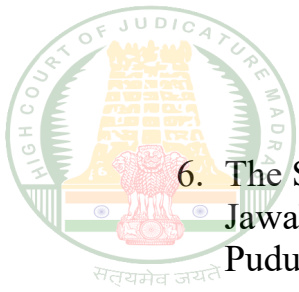
WMP Nos.4615, 4617 and 13690 of 2026

Sri Selliamman Aalaya Vizhakkuzhu
Rep by its Deputy Secretary A.Ramesh
No.13, Selliamman Nagar,
Periyakalpet
Puducherry-605 014

..Petitioner(s)

Vs

1. The Union Territory Of Puducherry
Rep by the Chief Secretary
Chief Secretariat, Main Building
Goubert Avenue, Beach Road
Puducherry-605 001
2. The District Collector
Puducherry District
1st floor, New Revenue Complex
Vazhudavoor Road,
Puducherry-605 009
3. The Pondicherry Planning Authority (PPA)
Rep by its Secretary, Jawahar Nagar,
Boomianpet Puducherry-605 005
4. The Commissioner
Hindu Religious Institution
Puducherry State, Puducherry-605 009
5. The Executive Officer
Sri Selliamman Temple
Selliamman Nagar, Periya Kalapattu
Puducherry-605 014



6. The Superintendent of Police (East)
Jawaharlal Nehru street
Puducherry-605 001

7. South India Assemblies of God Church
Rep by its Senior Pastor Rev.Danassilane.K
No.18,3rd Cross Street, Aravindar Nagar
Murugampakkam, Puducherry-605 004

..Respondent(s)

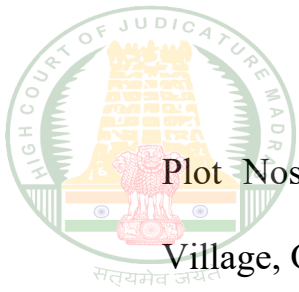
Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorari calling for the records pertaining to the impugned building permission issued by the 3rd respondent herein in No.PPA/76/329/Z(SB-KALA)/2023-25 dated 28.02.2025 and impugned NOC passed by the 2nd respondent herein in I.D.Note No.2575/DRDM/C1/2015/9213 dated 07.08.2024 and quash the same.

For Petitioner(s): Mr.G.Karthikeyan, Senior Counsel for
Mr.A.Jagadeeswari

For Respondent(s): Mr.V.Vasanthakumar AGP for R1 toR6
Mr.T.Mohan, Senior Counsel for
Mr.Prakash Adiapadam for R7

ORDER

The petitioner challenges the Inter-Departmental Note dated 07.08.2024 issued by the second respondent granting a No Objection Certificate (NOC) in favour of the seventh respondent for reconstruction of a Church, and the consequential communication dated 28.02.2025 issued by the third respondent granting permission for construction of a single-storeyed Church building after demolition of the existing A.C. sheet-roofed structure situated at R.S. No.178/4,



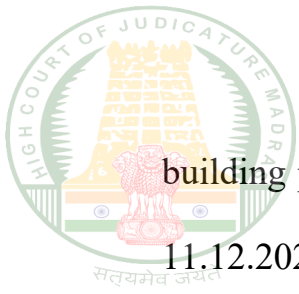
Plot Nos.13 and 14, Arul Vallalar Nagar, Periyakalapet, Kalapet Revenue Village, Oulgaret Municipality, Puducherry.

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2. The writ petition has been filed by the Deputy Secretary of *Sri Selliamman Aalaya Vizhakkuzhu*. The petitioner states that the temple, situated in R.S. No.184/10, Periyakalapet, is a century-old temple administered by the Hindu Religious Institutions and Wakf Department, Government of Puducherry. According to the petitioner, the Church sought to be reconstructed is located about 50 metres from the temple. Apprehending law and order issues and obstruction to the free movement of vehicles, the petitioner submitted objections requesting that no NOC be granted. It is contended that the second respondent, without considering the objections, granted the NOC, pursuant to which the third respondent granted building permission.

3. Mr. G. Karthikeyan, learned Senior Counsel appearing for the petitioner, submitted that respondents 2 and 3 ought to have conducted an enquiry before granting the NOC and building permission and that failure to do so amounts to violation of the prescribed procedure and the principles of natural justice. It was further submitted that, having regard to the proximity of the Church to the temple, the authorities ought not to have granted permission, as it may give rise to religious disharmony. Reliance was placed on the interim order dated 29.05.2026 passed by the Division Bench of this Court in W.P. No.20267 of 2026.

4. Per contra, Mr. T. Mohan, learned Senior Counsel appearing for the seventh respondent, submitted that the NOC was granted on 07.08.2024 and the



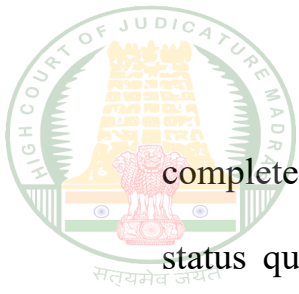
building permission on 28.02.2025, whereas the writ petition was filed only on 11.12.2025, by which time construction of the Church had substantially been completed. He therefore contended that the writ petition is liable to be dismissed on the ground of delay and laches. It was further submitted that there is no violation of any statutory provision warranting interference and that the petitioner, being merely a festival committee, is not a juristic person and therefore lacks locus standi to maintain the writ petition.

5. Learned Additional Government Pleader appearing for respondents 1 to 6 relied upon the Status Report filed by the third respondent and submitted that both the NOC and the building permission were granted strictly in accordance with the applicable statutory provisions and regulations.

6. The rival submissions have been considered and the materials placed on record have been perused.

7. The NOC dated 07.08.2024 was granted subject to conditions that the Church should be constructed in a manner that does not cause noise pollution, adequate parking should be provided within the Church premises, and that there was no law and order impediment for reconstruction.

8. The petitioner admittedly submitted objections only on 09.01.2025, after the NOC had already been granted. Thereafter, the third respondent granted building permission on 28.02.2025. Although the petitioner was aware of both the NOC and the building permission, the present writ petition came to be filed only on 11.12.2025. By then, construction of the Church had substantially been



completed, though occupation was delayed on account of the interim order of status quo granted by this Court on 17.02.2026 and the pendency of certain finishing works. The writ petition thus suffers from gross delay and laches and is liable to be dismissed on that ground alone.

9. Even otherwise, the petitioner has failed to point out any violation of any statutory provision governing the grant of the NOC or building permission. No rule has been brought to the notice of this Court requiring the authorities to hear objections from neighbouring persons before granting permission for reconstruction of a religious building. The challenge is founded only on an alleged procedural irregularity, which, in the absence of any statutory mandate, cannot invalidate the impugned proceedings.

10. It is also relevant to note that the seventh respondent had instituted O.S. No.995 of 2025 against Mr. Ramesh, Secretary of the petitioner committee, seeking permanent injunction on 06.10.2025. The present writ petition came to be filed only thereafter, on 11.12.2025.

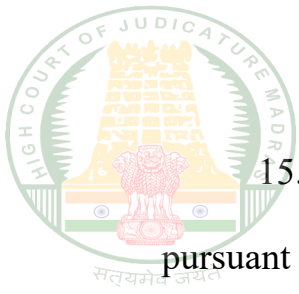
11. The petitioner has produced a report dated 20.06.2025 submitted by the Station House Officer, Kalapet Police Station, to the Superintendent of Police. The report records that the petitioner, along with one Senthil, Ramesh and others, had allegedly insulted police personnel in a public place and had intentionally played devotional songs of Hindu deities in front of the Church during prayer hours with a view to provoking members of the Christian community.



12. The petitioner has also produced the communication dated 12.06.2025 issued by the Tahsildar to the Sub-Collector (Revenue), Puducherry. The report records that the Church has existed for nearly thirty years in an A.C. sheet-roofed structure situated about 50 metres from the temple and that prayers have regularly been conducted on Sundays, Tuesdays and Fridays. It further notes the absence of adequate parking facilities, resulting in vehicles being parked on the roadside.

13. It was in the light of the above circumstances that the second respondent granted the NOC for reconstruction of the Church, subject to provision of adequate parking facilities. It is not in dispute that the total extent of the site is about 3,500 sq. ft., of which the Church building occupies only about 1,000 sq. ft., leaving approximately 2,500 sq. ft. available for parking. The communication dated 20.06.2025 submitted by the Inspector of Police further indicates an apprehension that the petitioner and others may indulge in unlawful activities leading to breach of peace and disturbance of public tranquillity in the locality.

14. It is an admitted fact that the Church has existed at the site for nearly thirty years and that the present proposal is only for reconstruction of the existing A.C. sheet-roofed structure into a permanent building. During this period, no serious law and order issue has been reported, except for minor verbal altercations. Further, the petitioner is only a festival committee represented by its Secretary and is not a juristic person. On that ground also, the writ petition is not maintainable.



15. The Status Report filed by the third respondent further discloses that, pursuant to the directions of this Court dated 11.06.2026, an inspection was conducted on 15.06.2026. It was found that a single-storeyed building had been constructed with certain minor deviations from the sanctioned plan. The report further states that the site falls within a “Residential Use” Zone under the Comprehensive Development Plan, 2036 for the Puducherry Region and that Clause 9 of Part II of the Puducherry Building Bye-Laws and Zoning Regulations, 2012 permits religious buildings, welfare institutions and assembly halls having a floor area not exceeding 300 sq. metres in residential zones.

16. Admittedly, the Church building measures only about 1,000 sq. ft., which is well within the permissible limit of 300 sq. metres. The learned Additional Government Pleader further submitted that the deviations noticed during inspection are minor and are within the condonable limits prescribed by the competent authority. In the absence of any statutory violation, no interference with the impugned NOC or the building permission is called for in exercise of the jurisdiction under Article 226 of the Constitution.

17. For all the aforesaid reasons, I find no merit in the writ petition. Accordingly, the writ petition is dismissed. Consequently, all connected miscellaneous applications are closed and the interim order granted by this Court stands vacated. There shall be no order as to costs.

13-07-2026



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HEMANT CHANDANGOUDAR, J.

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