

News

Without permission, homes cannot be utilized as prayer halls: High Court of Madras



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Recently, the Madras High Court reaffirmed that homes cannot be utilized as places of prayer without the consent of the relevant authorities. [**District Collector v. Pastor L. Joseph Wilson**]

Justice **N. Anand Venkatesh** emphasized that utilizing a property as a prayer hall cannot be claimed as a right, citing his own 2021 ruling in *T. Wilson v. The District Collector & Ors.*

"According to the applicable regulations, conducting prayer gatherings in a prayer hall necessitates receiving authorization from the relevant authority. Therefore, the Court ruled

that the petitioner does not have the right to use a prayer hall for holding prayer sessions without a permit.

The Court went on to say that it would not be enough to just promise not to disturb or make noise for your neighbors.

"The problem cannot be resolved by just not using the microphone and loudspeaker. The main point of contention is that the petitioner is not permitted to hold prayer sessions in a house that has been transformed into a prayer hall. The appropriate authorization from the government is needed for such.

Pastor L. Joseph Wilson, the trustee of Word of God Ministries Trust, was the petitioner. He had a property where regular prayer meetings were held. The prayer meetings eventually drew some criticism. He started the process of obtaining building permits to erect a church on the land in the interim.

The local tahsildar sent the pastor a notice instructing him to shut down the prayer house after rejecting his application. This led him to submit the current petition to the High Court.

The Court emphasized its own earlier ruling, holding that homes and other private properties cannot be turned into or utilized as prayer rooms without first obtaining authorization from the relevant authorities.

According to the Court, this would be relevant in this instance, particularly in light of the district collector's argument that the prayer gatherings had drawn complaints from nearby residents.

Throughout the legal proceedings, Pastor Wilson provided an affidavit promising to conduct prayers in a quiet and peaceful manner.

The pastor will only be permitted to return to the property on the understanding that he will not use it as a prayer hall without obtaining the required permits, the Court ruled, citing the failure of the endeavor.

"The petitioner is instructed to approach the District Collector and get permission if they wish to turn the property into a prayer hall. The property cannot be used for holding prayer gatherings. The respondents are free to take further legal action if the petitioner tries to use

the premises as a prayer hall once more, the judgment said.

Advocate K. Samidurai represented Pastor Wilson.

The State authorities were represented by Government Advocate TM Rajangam.

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