



O.S.A.Nos.102 to 107 of 2026

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.07.2026

CORAM

THE HON'BLE MR JUSTICE P. VELMURUGAN

AND

THE HON'BLE MRS.JUSTICE K. GOVINDARAJAN THILAKAVADI

O.S.A.Nos.102 to 107 of 2026

and

C.M.P.Nos.14845, 14850, 14851, 14846, 14849, 14852, 14858,
14859, 14862 and 14875 of 2026

O.S.A.Nos.102 and 103 of 2026

D.Neegar Prince Giftson

.... Appellant

Vs

1. General Secretary
Representing Church of South India
CSI Synod Secretariat, CSI Centre,
No.5, Whites Road, Royapettah,
Chennai – 600 014.
2. Moderator Commissary/Bishop Incharge
The CSI Thoothukudi – Nazareth Diocese
No.100, Beach Road, Caldwell School Campus,
Thoothukudi – 628 001.



O.S.A.Nos.102 to 107 of 2026

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3. SDK Rajan @ Gnanaraj
4. DKM. Johnson David
5. Rev.Moses Jebaraj
6. Rev.DGA Thomas
7. J.Jebachandran
8. S.Mamallan
9. A.Subash
10. Mohanraj Arumainayagam
11. S.Arul Mayer
12. K.Arul Raja

.... Respondents

Prayer : Original Side Appeal filed under Order XXXVI Rule 9 of Madras High Court Original Side Rules read with Clause 15 of the Letters Patent, to set aside the order dated 21.05.2026 in O.A.Nos.477 and 476 of 2026 in C.S.No.124 of 2026 passed by this Court and allow the above appeals.

O.S.A.Nos.104 and 105 of 2026

D.Neegar Prince Giftson

.... Appellant

Vs

1. SDK Rajan @ Gnanaraj
2. General Secretary
Representing Church of South India
CSI Synod Secretariat, CSI Centre,
No.5, Whites Road, Royapettah,
Chennai – 600 014.



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3. Moderator Commissary/Bishop Incharge
The CSI Thoothukudi – Nazareth Diocese
No.100, Beach Road, Caldwell School Campus,
Thoothukudi – 628 001.
 4. DKM. Johnson David
 5. Rev.Moses Jebaraj
 6. Rev.DGA Thomas
 7. J.Jebachandran
 8. S.Mamallan
 9. A.Subash
 10. Mohanraj Arumainayagam
 11. S.Arul Mayer
 12. K.Arul Raja
- Respondents

Prayer : Original Side Appeal filed under Order XXXVI Rule 9 of Madras High Court Original Side Rules read with Clause 15 of the Letters Patent, to set aside the order dated 21.05.2026 in A.Nos.2173 and 2175 of 2026 in O.A.Nos.476 and 477 of 2026 in C.S.No.124 of 2026 passed by this Court and allow the above appeals.

O.S.A.Nos.106 and 107 of 2026

D.Neegar Prince Giftson

.... Appellant

Vs

1. J.Jebachandran



O.S.A.Nos.102 to 107 of 2026

2. General Secretary
Representing Church of South India
CSI Synod Secretariat, CSI Centre,
No.5, Whites Road, Royapettah,
Chennai – 600 014.
3. Moderator Commissary/Bishop Incharge
The CSI Thoothukudi – Nazareth Diocese
No.100, Beach Road, Caldwell School Campus,
Thoothukudi – 628 001.
4. SDK Rajan @ Gnanaraj
5. DKM. Johnson David
6. Rev.Moses Jebaraj
7. Rev.DGA Thomas
8. S.Mamallan
9. A.Subash
10. Mohanraj Arumainayagam
11. S.Arul Mayer
12. K.Arul Raja

.... Respondents

Prayer : Original Side Appeal filed under Order XXXVI Rule 9 of Madras High Court Original Side Rules read with Clause 15 of the Letters Patent, to set aside the order dated 21.05.2026 in A.Nos.2174 and 2176 of 2026 in O.A.Nos.476 and 477 of 2026 in C.S.No.124 of 2026 passed by this Court and allow the above appeals.



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For Appellant

: Mr.J.Ravindran
Senior Counsel for
Mrs.M.Sneha
(in all O.S.As)

For Respondents

: Mr.Adrian D.Rozario
for R1 (in O.S.A.Nos.102 & 103/2026)
for R2 (in O.S.A.Nos.104, 105,
106 & 107/2026)
Mr.V.Raghavachari
Senior Counsel for
Mr.Kingsly Solomon for R2 to R12
(in O.S.A.Nos.102 & 103/2026)
for R1 and R3 to R12
(in O.S.A.No.104, 105,
106 & 107/2026)

COMMON JUDGMENT

(Judgment of the Court was delivered by P.Velmurugan, J.)

The present intra-Court appeals are directed against the common order dated 21.05.2026 passed by the learned Single Judge of this Court in A.Nos.2173 to 2176 of 2026 in O.A.Nos.476 and 477 of 2026 in C.S.No.124 of 2026.



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2. Mr.J.Ravindran, learned Senior Counsel appearing for the appellant/plaintiff submitted that when the applications in A.Nos.2173 to 2176 of 2026 in O.A.Nos.476 and 477 of 2026 in C.S.No.124 of 2026 were taken up for hearing on 20.05.2026, the learned Single Judge passed the following order:

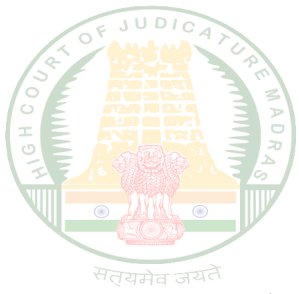
“I cannot take up these applications. Post the matters before some other Judge.

2. Mr.Sricharan Rangarajan representing Mr.J.Kingsly Solomon requests an earlier date of hearing.

3. Registry to get appropriate orders immediately.”

Thereafter, the matter was not listed in the regular list on the following day i.e., on 21.05.2026. Instead, an additional cause list was published listing the matter at 2.15 p.m. on 21.05.2026, and the learned counsel was informed over the mobile phone. When the matter was taken up for hearing at 2.15 p.m., the learned counsel representing the counsel on record for the appellant informed the Court that the learned Senior Counsel engaged in the matter was unavailable and sought an adjournment. However, the learned Single Judge failed to grant a reasonable adjournment and proceeded to vacate the ad-interim injunction

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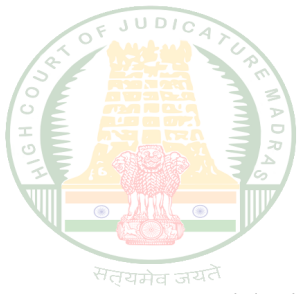


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granted on 14.05.2026 and also dismissed the original applications without affording an opportunity of hearing to the plaintiff. Aggrieved by the said order, the present appeals have been preferred.

3. The learned Senior Counsel further submitted that the learned Single Judge, while vacating the ad-interim injunction, proceeded on the premise that the election process forming the subject matter of the present suit had already been impugned in two other suits, in C.S.Nos.311 of 2025 and 4 of 2026. In C.S.No.311 of 2025, an interim order was initially granted but was subsequently set aside by a Division Bench of this Court in O.S.A.Nos.10 to 13, 15 and 16 of 2026. On that basis, the learned Single Judge concluded that no interim relief could be granted in the present suit and consequently vacated the ad-interim injunction.

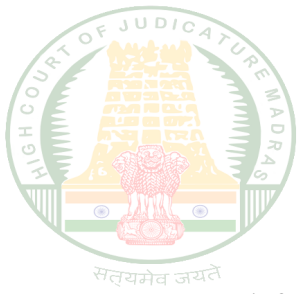
4. It was contended that the present suit is factually and legally distinct from the earlier suits relied upon by the learned Single Judge and that the impugned order proceeds on an erroneous assumption that the issues involved are identical. It was further contended that the learned Single Judge erred in placing reliance on the earlier proceedings and without independently



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considering the merits of the present case, vacated the interim order and dismissed the original applications. It was submitted that the impugned order was passed in violation of the principles of natural justice, without affording a reasonable opportunity of hearing to the plaintiff and hence, the same is liable to be set aside.

5. Per contra, Mr.V.Raghavachari, learned Senior Counsel appearing for the respondents/defendants submitted that the applications were taken up for hearing on 20.05.2026, but the learned Single Judge, for some reasons, directed the Registry to place the matter before another Bench. Since the Registry could not obtain the order copy on the same day, the matter was not included in the regular list on the following day. However, considering the urgency involved, the learned Single Judge directed the Registry to list the matter at 2.15 p.m., by publishing an additional cause list, and due intimation was given to both parties and their counsel. When the matter was called at 2.15 p.m., the learned counsel representing the counsel on record for the plaintiff sought time on the ground that the learned Senior Counsel was unavailable. The learned Single Judge directed the matter to be taken up at 4.45 p.m., for hearing. He further submitted that when the matter taken up for hearing at 4.45 p.m the learned counsel on



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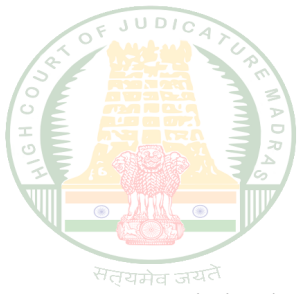
record for the appellant/plaintiff was present and upon affording both sides an opportunity of hearing, the learned Single Judge vacated the ad-interim injunction. It was submitted that the plaintiff had participated in the proceedings and was afforded due opportunity. Hence, the order vacating the interim stay does not warrant interference by this Court.

6. We have heard the learned counsel on either side and perused the materials available on record.

7. Admittedly, pending suit, the plaintiff filed O.A.Nos.476 and 477 of 2026 seeking ad-interim injunction, which came to be granted by the learned Single Judge on 14.05.2026. Thereafter, the respondents filed applications seeking to vacate the ad-interim injunction order. Upon hearing the parties, the learned Single Judge vacated the ad-interim injunction. However, a perusal of the impugned order reveals that, while vacating the ad-interim injunction, the learned Single Judge also proceeded to dismiss the original applications.

8. In our considered view, the order vacating the ad-interim injunction does not warrant interference in these appeals. However, the dismissal of the

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original applications at that stage cannot be sustained. The parties are entitled to have the original applications adjudicated on their own merits after completion of pleadings and upon afforded a full and effective opportunity of hearing. Therefore, the order dismissing the original applications is liable to be set aside.

9. Accordingly, the impugned order dated 21.05.2026 is affirmed insofar as it vacates the ad-interim injunction granted on 14.05.2026. However, it is set aside insofar as it dismisses the original applications in O.A.Nos.476 and 477 of 2026. The learned Single Judge is requested to hear and dispose of the original applications on merits and in accordance with law, after affording adequate opportunity to all the parties.

10. With the above directions, these appeals are partly allowed to the above extent. Consequently, connected miscellaneous petition are closed. There shall be no order as to costs.

(P.V.,J.) (K.G.T.,J.)
13.07.2026

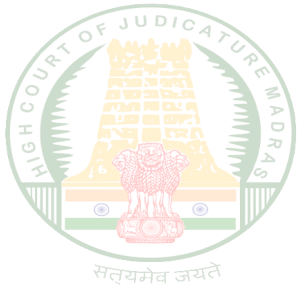
Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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**P.VELMURUGAN, J.
AND
K.GOVINDARAJAN THILAKAVADI, J.**

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