

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 3RD DAY OF JULY 2015/12TH ASHADHA, 1937

Tr.P(C).No. 445 of 2013 ()

**(TO TRANSFER OS.NO. 3/2013 OF DISTRICT COURT, THRISSUR TO THE 1ST
ADDL.DISTRICT COURT, ERNAKULAM)**

PETITIONER(S)/DEFENDANTS 6 & 8 :

- 1. FR.KURIAKOSE THANNIRKODE,VICAR,
ST. PETER'S & ST.PAUL'S ORTHODOX SYRIAN CHRISTIAN CHURCH,
PENGAMUCK, KUNNAMKULAM VIA, THRISSUR DISTRICT-680 544**
- 2. SRI.P.K SIMON, S/O.KURIAN,
PULIKOTTIL HOUSE, KAIKKARAN OF PENGAMUCK,
ST.PETER'S & ST.PAUL'S ORTHODOX SYRIAN CHRISTIAN CHURCH,
PENGAMUCK, KUNNAMKULAM VIA, THRISSUR DISTRICT-680 544**

BY ADV. SRI.BIJU ABRAHAM

RESPONDENT(S)/PLAINTIFF & DEFENDANTS 1 TO 5, 7 & 9 TO 12 :

- 1. SAJI C.S., AGED 44 YEARS,
TRUSTEE, ST.PETER'S & ST.PAUL'S JACOBITE,
SYRIAN CHRISTIAN CHURCH, PENGAMUCK, KUNNAMKULAM VIA,
THRISSUR DISTRICT, RESIDING AT CHEERAN HOUSE, THEKKUMURI,
PENGAMUCK, KUNNAMKUKLAM VIA, THRISSUR DISTRICT-680 544**
- 2. SHOBI C.K, AGED 40 YEARS,
TRUSTEE, ST.PETER'S & ST.PAUL'S JACOBITE,
SYRIAN CHRISTIAN CHURCH, PENGAMUCK, KUNNAMKULAM VIA,
THRISSUR DISTRICT, RESIDING AT CHERUVATHUR HOUSE,
PADINJATTUMURI, PENGAMUCK, KUNNAMKUKLAM VIA,
THRISSUR DISTRICT, PIN-680 544**
- 3. VITTY V. CHEERAN, AGED 42 YEARS,
MEMBER, MANAGING COMMITTEE,
ST.PETER'S & ST.PAUL'S JACOBITE,
SYRIAN CHRISTIAN CHURCH, PENGAMUCK, KUNNAMKULAM VIA,
THRISSUR DISTRICT, RESIDING AT CHEERAN HOUSE, PADINJATTUMURI,
PENGAMUCK, KUNNAMKUKLAM VIA, THRISSUR DISTRICT, PIN-680 544**
- 4. P.C THAMBI, AGED 62 YEARS,
MEMBER, MANAGING COMMITTEE,
ST.PETER'S & ST.PAUL'S JACOBITE,
SYRIAN CHRISTIAN CHURCH, PENGAMUCK, KUNNAMKULAM VIA
THRISSUR DISTRICT, RESIDING AT PULIKOTTIL HOUSE, PADINJATTUMURI,
PENGAMUCK, KUNNAMKUKLAM VIA, THRISSUR DISTRICT, PIN-680 544**

5. JOSH Y GEORGE K, AGED 38 YEARS,
MEMBER, MANAGING COMMITTEE,
ST. PETER'S & ST. PAUL'S JACOBITE,
SYRIAN CHRISTIAN CHURCH, PENGAMUCK, KUNNAMKULAM VIA,
THRISSUR DISTRICT, RESIDING AT KOLLANNUR HOUSE, THEKKUMURI,
PENGAMUCK, KUNNAMKUKLAM VIA, THRISSUR DISTRICT, PIN-680 544
6. SANOJ C.B, AGED 29 YEARS,
MEMBER, MANAGING COMMITTEE,
ST. PETER'S & ST. PAUL'S JACOBITE,
SYRIAN CHRISTIAN CHURCH, PENGAMUCK, KUNNAMKULAM VIA,
THRISSUR DISTRICT, RESIDING AT CHERUVATHUR HOUSE, THEKKUMURI,
PENGAMUCK, KUNNAMKUKLAM VIA, THRISSUR DISTRICT, PIN-680 544
7. SAJEESH C.S, AGED 32 YEARS,
MEMBER, MANAGING COMMITTEE,
ST. PETER'S & ST. PAUL'S JACOBITE,
SYRIAN CHRISTIAN CHURCH, PENGAMUCK, KUNNAMKULAM VIA,
THRISSUR DISTRICT, RESIDING AT CHEERAN HOUSE, THEKKUMURI,
PENGAMUCK, KUNNAMKUKLAM VIA, THRISSUR DISTRICT, PIN-680 544
8. JOHNSON K.I, AGED 62 YEARS,
MEMBER, ST. PETER'S & ST. PAUL'S JACOBITE,
SYRIAN CHRISTIAN CHURCH, PENGAMUCK, KUNNAMKULAM VIA,
THRISSUR DISTRICT, RESIDING AT KUTHOOR HOUSE, THEKKUMURI,
PENGAMUCK, KUNNAMKUKLAM VIA, THRISSUR DISTRICT, PIN-680 544
9. ST. PETER'S & ST. PAUL'S ORTHODOX SYRIAN CHRISTIAN CHURCH,
PENGAMUCK, KUNNAMKUKLAM VIA, THRISSUR DISTRICT,
REPRESENTED BY THE TRUSTEE C.V. VARIETH, S/O. VARIETH,
CHEERAN HOUSE, PADINJATTUMURI, PENGAMUCK-680 544
10. FR. VICAR ALIAS K. VARKEY, VICAR (PATRIARCH FACTION),
ST. PETER'S & ST. PAUL'S JACOBITE, SYRIAN CHRISTIAN CHURCH,
PENGAMUCK, KUNNAMKUKLAM VIA, THRISSUR DISTRICT-680 544
11. SRI.C.V. VARIETH, TRUSTEE (PATRIARCH FACTION)
ST. PETER'S & ST. PAUL'S JACOBITE, SYRIAN CHRISTIAN CHURCH,
PENGAMUCK, KUNNAMKUKLAM VIA, THRISSUR DISTRICT-680 544
12. SRI. K.V.JOSE, MEMBER, MANAGING COMMITTEE (PATRIARCH FACTION)
ST. PETER'S & ST. PAUL'S JACOBITE, SYRIAN CHRISTIAN CHURCH,
PENGAMUCK, KUNNAMKUKLAM VIA, THRISSUR DISTRICT-680 544
13. SRI.C.I.PAUL, MEMBER, MANAGING COMMITTEE (PATRIARCH FACTION)
ST. PETER'S & ST. PAUL'S JACOBITE, SYRIAN CHRISTIAN CHURCH,
PENGAMUCK, KUNNAMKUKLAM VIA, THRISSUR DISTRICT-680 544
14. SRI.C.C.DAVID, S/O. CHERAPPAN, CHEERAN HOUSE, PENGAMUCK,
KAIKKARAN ST. PETER'S & ST. PAUL'S ORTHODOX SYRIAN CHRISTIAN
CHURCH, PENGAMUCK, KUNNAMKUKLAM VIA,
THRISSUR DISTRICT-680 544
15. YAKUB MAR IRENIUS, BISHOP, SION SEMINARI,
KORATTY, THRISSUR DISTRICT-680 544

Tr.P(C).No. 445 of 2013

16. MORAN MAR BASELIOUS POULOUSE II,
CATHLICOS-CUM- MALAKARA METROPOLITAN,
ORTHODOX SYRIAN CHURCH, DEVALOKAM,
KOTTAYAM-680 544
17. MORAN MAR BASELIOS THOMAS I,
CATHLICOS-CUM- METROPOLITAN TRUSTEE,
JACOBITE SYRIAN CHRISTIAN CHURCH, PATRIARCHAL CENTRE,
PUTEHNCRUZ, ERNAKULAM DISTRICT-680 544
18. ALIAS MAR ATHANASIOUS,
AUZILIARY BISHOP-TRICHUR DIOCESE, JACOBITE SYRIAN
CHRISTIAN CHURCH, CHUVANNAMANNU,
THRISSUR DISTRICT-680 544

R2 & R3 BY ADVS. SRI.SAJAN VARGHEESE K.
SRI.LIJU. M.P

THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 03-07-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

sts

Tr.P(C).No. 445 of 2013

APPENDIX

PETITIONER'S ANNEXURES:

ANNEX A1 COPY OF THE PLAINT IN O.S.3/2013 ON THE FILES OF DISTRICT
COURT, THRISSUR.

RESPONDENT'S ANNEXURES: NIL

/TRUE COPY/

P.A.TO JUDGE

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B.KEMAL PASHA, J.

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Tr.P.(C).No.445 of 2013

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Dated this the 3rd day of July, 2015

ORDER

O.S.No.3 of 2013 of the District Court, Thrissur is sought to be transferred to the designated Special Court for the trial of Church cases, which is the 1st Additional District Court, Ernakulam. Suits relating to connected matters as O.S.No.61 of 1977, O.S.No.9 of 1978, O.S.No.72 of 1978 and O.S.No.4 of 1987 were considered by the said Special Court. In O.S.No.61 of 1977 and O.S.No.4 of 1987, proceedings are still pending before the said court.

2. Heard the learned counsel for the petitioners and

the learned counsel for the respondents.

3. On hearing both sides, it has come out that the present suit has necessarily to be transferred to the Special Court as prayed for.

In the result, this Transfer Petition (Civil) is allowed and O.S.No.3 of 2013 of the District Court, Thrissur is transferred to the 1st Additional District Court, Ernakulam.

Sd/-

B.KEMAL PASHA
JUDGE