

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Thursday, the Twenty Fourth day of January Two Thousand Nineteen

PRESENT

THE HON`BLE MR JUSTICE M. SATHYANARAYANAN

AND

THE HON`BLE MR JUSTICE T.RAJA

LPA.Nos.3 & 5 of 2015

RT.REV.DR.H.A.MARTIN
BISHOP, TAMIL EVANGELICAL LUTHERAN
CHURCH, TRANQUEBAR HOUSE,
TRICHIRAPPALLI 620 001

[PETITIONER IN LPA.3/15
AND 3rd RESPONDENT
IN LPA.5/15]

Vs

1 TAMIL EVANGELICAL LUTHERAN
CHURCH, REP BY ITS SECRETARY
MR.E.D.CHARLES, TRANQUEBAR HOSUE,
TRICHIRAPPALLI 620 001

[1 & 2 RESPONDENTS IN BOTH THE
PETITIONS]

2 DR.E.D.CHARLES
SECRETARY TAMIL EVANGELICAL LUTHERAN CHURCH,
(TELC), TRANQUEBAR HOSUE,
TRICHIRAPPALLI 620 001

3 D.RAVINDRAN
S/O DANIEL, 222, RAMACHANDRAPURAM
AGRAHARAM PUDUKKOTTAI

[3 to 12 RESPONDENTS IN LPA.3/15
AND 4 to 13 RESPONDENTS
IN LPA.5/15]

4 REV.M.S.ARIVANNAL
S/O MARIA AROCKIAM, 38, SURILI KOVIL EXTN,
THIRUVERUMBUR, TRICHY 620 013

5 REV.D.JESUPATHAM
S/O DEVASAHAYAM, TELC COMPOUND, PODANUR 641 023
COIMBATORE DISTRICT

6 REV.J.JESUPILLAI
S/O JEBARATHINAM, NO.5, 7TH CROSS,
RADHAKRISHNAN NGR, MOOLAKOLLAI,
PONDICHERY 10

7 REV.D.DANIEL JAYARAJ
S/O DEVASAHAYAM JOHN HOUSE, GURUKAL CAMPUS,
95 PURASAWALKAM HIGH ROAD, KILPAUK CHENNAI 10

8 PROF.P.M.BHASKARAN
S/O PITCHAI, 120/4, ZION CHURUCH COMPOUND
TANJORE ROAD, NEAR GANDHI MARKET, TRICHY 620 008

9 G.PRABHAKARAN
S/O GNANAPRAKASAM, NO.11 RAJ NGR, 3RD STREET
NEAR FATHIMA COLLEGE, SHANTHI NAGAR,
MADURAI 625 018

10 REV.R.VALARMATHI
W/O REV.K.ARUL JEYASEKAR JEBAKUMR,
NO.129, TELC COMPOUND EACHAMPATTI
KALPALAYAM POST, TRICHY 620 005

11 R.VINCENT ROVER
S/O PAULCHAMY, 1/41, AMBEDKAR NAGAR,
VAGAIKULAM, MUDUKULATHUR, RAMNAD DISTRICT

12 S.MARTIN DEVARAJ
S/O SAMIPILLAI, MANCHOLLAI, AKKUR 609 301,
NAGAPATTINAM DISTRICT

13 A.MEHAR ANTONY [13th RESPONDENT IN LPA.3/15
S/O ANTONY, JMJ ENGINEERING ENTERPRISE, AND PETITIONER IN
731 4TH STREET, ANNA NAGAR WEST EXTN, LPA.5/15]
CHENNAI 101

14 E.LAWRENCE [14th TO 17th RESPONDENTS IN
S/O ENOCHPILLAI, 190, DR.RADHAKRISHNAN BOTH THE PETITIONS]
ROAD, TATA BAD, COIMBATORE 641 012

15 G.MUTHUKRISHNAN
S/O GOVINDATH TONDAMAN, 42-C, THERKKU RATHA
VEETHI, THENKARAI, PERIYAKULAM

16 G.MARTHANDAM
S/O M.GOVINDATH TONDAMAN, 423-C, THERKKU
RATHSA VEETHI, THENKARAI, POERIYAKULAM

17 KANAGARAJ
ADMINISTRATOR, TAMIL EVANGELICAL LUTHERAN
CHURCH, TRANQUEBAR HOUSE,
TRICHIRAPALLI 620 001

18 RT REV S.EDWIN JAYAKUMAR [18th RESPONDENT LPA.5/15]
TAMIL EVANGELICAL LUTHERAN CHURCH TRANQUEBAR
HOUSE TRCHY-620001

[R.18 IMPEADED AS A PARTY

<https://hcservices.ecourts.gov.in/hcservices/>
RESPONDENT VIDE ORDER ON COURT DT.1/3/16 MADE IN MP.2/15]

Appeal under clause 15 of the Letters patent against the order passed by HON'BLE MR.JUSTICE V.RAMASUBRAMANIAN, in Sub.A.No.420 of 2014 in Cont.P.No.2175 of 2013 dated 22.04.2015 (in LPA.Nos.3 & 5/2015)

ORDER :- This Appeal and petition coming on for orders on this day upon perusing the Grounds of Appeal, the orders of THE HON'BLE MR.JUSTICE V.RAMASUBRAMANIAN dated 22.04.2015 and made in the exercise of the Contempt Jurisdiction of the High Court in Sub.A.No.420 of 2014 in Cont.P.No.2175 of 2013 and all other material paper in this cases and upon hearing the arguments of MR.S.KARTHIKA BALAN, ADVOCATE for the PETITIONER IN LPA.3/15 AND 3rd RESPONDENT IN LPA.5/15

MR.VIJAY NARAYAN, SENIOR COUNSEL FOR R.JAYAPRAKASH, ADVOCATE FOR APPELLANT IN LPA.3/15

MR.G.MASILAMANI, SENIOR COUNSEL FOR MR.MANI SUNDARA GOPAL, for R1 & 2 IN LPA.3 & 5/15

MR.S.PRABAKARAN, SENIOR COUNSEL FOR MRS.GEETH SENTHILKUMAR FOR 3RD RESPONDENTS IN LPA.3/15 AND 4TH RESPONDENT IN LPA.5/15 &

MR.R.THIYAGARAJAN, SENIOR COUNSEL FOR MR.R.SRINIVASALU, FOR 4 & 6 RESPONDENTS IN LPA.3/15 AND OF 5 & 6TH RESPONDENTS IN LPA 5/15 AND

MR.RICHARDSON WILSON, Advocate FOR R.7 IN LPAS

MR.S.MANOCHARAN, ADVOCATE FOR 9TH RESPONDENT IN LPA.3/15 AND OF 10TH RESPONDENT IN LPA.5/15

MR.S.KUMARESAN, ADVOCATE FOR 11TH RESPONDENT IN LPA.3/15 AND OF 12TH RESPONDENT IN LPA.5/15

MR.S.K.MANI, ADVOCATE FOR 12TH RESPONDENT IN LPA.3/15 AND OF 13TH RESPONDENT IN LPA.5/15

MR.R.KANNAN, ADVOCATE FOR 18TH RESPONDENT IN LPA.5/15 AND OF MR.THOBIAS ARUL, ADVOCATE FOR 14TH RESPONDENT IN LPA.3&5/15

MR.S.D.S.DHILIP, ADVOCATE FOR 13TH RESPONDENT IN LPA.3/15
the court made the following order:-

(Order of the Court was made by T.RAJA,J.)

Learned counsel appearing for the Administrator, referring to the fifth memo filed by the learned Judge Administrator of TELC dated 24.01.2019, submitted that after issuing the election notification for electing the Bishop of Tamil Evangelical Lutheran Church on 21.08.2018 followed by circulars and notifications dated 24.08.2018, 27.08.2018 and 30.08.2018, election was scheduled to be conducted on 7th, 8th and 9th of January 2019 at the Central Office of TELC, Trichy. He would submit that the Administrator has made

all preparatory measures for the smooth conduct of the election and accordingly, election was peacefully conducted on the said dates without any disturbance as per the rules of the TELC and Rev. Daniel Jayaraj was elected as the XIII Bishop of the Tamil Evangelical Lutheran Church on 09.01.2019 and the entire election proceedings were videographed and all the process involved in both conduct of the election and counting of votes were made transparent to all the members and none of them expressed any grievance whatsoever. Learned counsel would further submit that the consecration of Bishop took place on 14.01.2019 at Tharangambadi TELC Church as per the traditional custom of TELC.

2. Since the learned counsel appearing for Administrator submitted that Rev. Daniel Jayaraj was elected as the XIII Bishop of the Tamil Evangelical Lutheran Church on 09.01.2019, we record the election conducted on 7th, 8th and 9th of January 2019 and that Rev. Daniel Jayaraj as the XIII Bishop of the Tamil Evangelical Lutheran Church and the consequential consecration of Bishop that took place on 14.01.2019 at Tharangambadi TELC Church as per the traditional custom of TELC.

3. Call on 21.02.2019.

-sd/-

24/01/2019

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE SUB ASSISTANT REGISTRAR
ORIGINAL SIDE, HIGH COURT, CHENNAI-104

2 THE SECTION OFFICER
CONTEMPT SECTION HIGH COURT, CHENNAI-104

3 THE DIRECTOR GENERAL OF POLICE,
CHENNAI 004.

4 THE SECRETARY GO GOVERNMENT
EDUCATION DEPARTMENT,
FORT ST. GEORGE, CHENNAI 600 009.

5 THE DIRECTOR,
COLLEGIATE EDUCATION,
DPI COMPLEX, CHENNAI 600 034.

6 THE COMMISSIONER OF POLICE,
GREATER CHENNAI, CHENNAI

C.C. to MR.S.KARTHIKA BALAN, Advocate Sr.No.1089
C.C. to M/S.R.JAYAPRAKASH Advocate

C.C. to M/S.W.THOBIA ARUL, Advocate

C.C. to M/S.MANI SUNDAR GOPAL, Advocate

C.C. to M/S.AL.GANTHIMATHI, Advocate

C.C. to M/S.R.SRINIVASALU, Advocate

C.C. to M/S.R.KANNAN, Advocate

C.C. to M/S.L.SABA RATHINAM, Advocate

C.C. to M/S.S.RADHAKRISHNAN, Advocate

C.C. to M/S.S.D.S.PHILLIP, Advocate

C.C. to M/S.R.VENKATACHALAPATHY, ADMINISTRATOR

Order
in

LPA.Nos.3 & 5 of 2015

Date :24/01/2019

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format

JK 08/05/15 KP(05.06.2015) KP(05.08.2015)

RRI 03/05/2016(IT)

RRI 17/08/2016

RRI 13/02/2019