

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.4635 of 2016

Date:12.02.2016

Between:

Rev. G.Joshi Babu,
S/o G.George

..... Petitioner

And:

Andhra Evangelical Lutheran
Church, Guntur, repled., by its
Moderator Bishop Rev. Dr.K.Fredrick
Paradesi Babu and four others.

.....Respondents

Counsel for the Petitioner: Mr. D.A.Premchand

Counsel for the Respondents: None appears

The Court made the following:

ORDER:

Feeling aggrieved by resolution, dated 05.8.2015, of the executive council of respondent No.1-church, the petitioner filed this Writ Petition.

The averments in the affidavit, filed in support of the Writ Petition, show that respondent No.1 is a Christian missionary and respondent Nos.2 to 4 are its functionaries. The petitioner has not raised any plea that any of the respondents is either the State or its

instrumentalities discharging the functions of the State. Further, the petitioner has not sought enforcement of any statutory public duty on the respondents. Therefore, the public law remedy under Article-226 of the Constitution of India is not available to the petitioner. The petitioner can only avail either statutory remedies or any other common law remedies available to him in law.

Accordingly, the Writ Petition is dismissed with liberty to the petitioner to avail any other legal remedies available to him.

As a sequel to dismissal of the Writ Petition, W.P.M.P.No.5931 of 2016 is are dismissed as infructuous.

*JUSTICE C.V.NAGARJUNA
REDDY*

*12th February, 2016
DR*