

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2017

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P.No. 37493 of 2016
and W.M.P.Nos. 32116 & 34028 of 2016

India Evangelical Lutheran Church
Rep by its General Secretary
Mr.K.Baul Sundar
No.47, Eldams Road,
Teynampet, Chennai - 600 018. Petitioner

Vs.

1. The District Educational Officer,
Tirupattur, Vellore District.
 2. Rev. K.Victor,
Mission Compound,
Ambur, Vellore District - 635 802.
 3. Victor Jayaprakasam,
4th Street, New Bethlehem,
Ambur, Vellore District - 635 802.
 4. Rev.Gladson Premkumar,
Mission Compound,
Ambur, Vellore District - 635 802.
 5. V.Inbanathan,
Cheran Street,
Thiru.Vi.Ka.Nagar,
Pernampet, Vellore District - 635 810.
 6. India Evangelical Lutheran Church,
Rev. R.Vijayakumar,
General Treasurer,
No.47, Eldams Road,
Teynampet, Chennai - 600 018. ... Respondents
- (R6 impleaded as per order dated 07.03.2017
in W.M.P.No.34492 of 2016)

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the 1st respondent pertaining to the impugned order dated 08.10.2016 in Na.Ka.No.3751/A4/2016 and quash the same and further direct the 1st respondent to approve the list of correspondents recommended by the petitioner society.

For Petitioner: Mr.C.Prabakaran

For Respondents: Mr.S.Diwakar for R1
Spl. Govt. Pleader
Mr.M.Venkatachalapathy,
Senior Counsel
for Mr.T.Velumani for R3 to R6
No appearance for R2

ORDER

The present challenge to the impugned order is an extension of inter se dispute between the petitioner and the private respondents. By the impugned order, the private respondents, namely, respondents 3 to 5 have been appointed as the Correspondents.

2.Learned counsel appearing for the petitioner would submit that it is, he, who is in-charge and therefore the order impugned cannot be sustained without issuing notice to him as it was given to a third party.

3.Learned Senior Counsel for the respondents 3 to 6 would submit that the petitioner does not have any locus standi and it is the private respondents, who are in-charge.

4.This Court is not willing to go into the inter se dispute between the parties, which is already pending consideration before various forums. However, factually one thing is clear that the petitioner has not been put on notice. Now both the parties claiming to be in-charge. Therefore, while maintaining the Status Quo with respect to the functioning of the Correspondent to three schools situated at Vaniyambadi, Ambur and Pernampet, the 1st respondent is directed to conduct re-enquiry by issuing notices to the petitioner as well as the rival group including the private respondents herein. Final decision will be made within a period of eight weeks from the date of receipt of a copy of this order. As indicated above, Status Quo as on today shall be maintained.

5.With above directions, the writ petition is disposed of.
No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

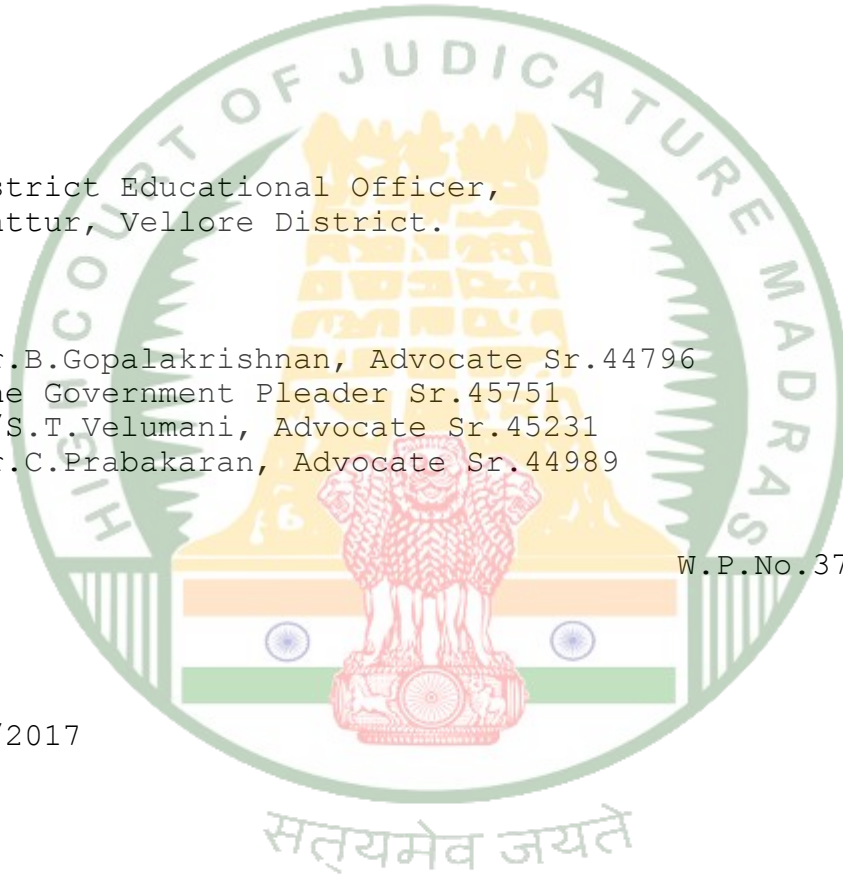
maya/cse
To

1. The District Educational Officer,
Tirupattur, Vellore District.

+1cc to Mr.B.Gopalakrishnan, Advocate Sr.44796
+1cc to the Government Pleader Sr.45751
+1cc to M/S.T.Velumani, Advocate Sr.45231
+3cc to Mr.C.Prabakaran, Advocate Sr.44989

W.P.No.37493 of 2016

rv[co]
srg 05/07/2017



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