



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.07.2018

CORAM :

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN
C.R.P.(MD)No. 1544 of 2018
and C.M.P.(MD) No.6762 of 2018

WEB COPY

Christ Church
through its Member of Adhoc
Administration Committee
A.Stephen David Raja.

.. Petitioner
Vs.

1. The Secretary,
The Church of South India Trust Association,
CSI Center, No.5, Whites Road,
Chennai - 5.

2. Rt. Rev. M. Joseph,
Bishop of CSI Madurai Ramnad Diocese,
162, East Veli Street, Madurai.

3. Rev. D. Devairakkam
Treasurer,
CSI Madurai Ramnad Diocese,
162, East Veli Street, Madurai.

4. Rev. Jesu Sahayam,
Director,
Department of Resource Development,
CSI Madurai Ramnad Diocese,
162, East Veli Street, Madurai.

5. W. Rajesh

6. Ebenezer Rajakumar

7. Rev. R. Samuel

8. Johnson Gnanamuthu

9. T. Augustine

10. The Secretary,
Christ Church (CSI),
Ilanthope, Madurai.

.. Respondents

PRAYER: Petition filed under Article 227 of the Constitution of India, to set aside the order dated 05.06.2018 in I.A.No.445 of 2018 in O.S.No.344 of 2018 on the file of the II Additional Subordinate Judge, Madurai and allow the I.A.No.445 of 2018 in O.S.No.344 of 2018.

For Petitioner : K.K.Kannan

ORDER

This Civil Revision Petition has been filed seeking to set aside the order dated 05.06.2018 in I.A.No.445 of 2018 in O.S.No.344



of 2018 on the file of the II Additional Subordinate Judge, Madurai and allow the I.A.No.445 of 2018 in O.S.No.344 of 2018.

2. The revision petitioner herein is the plaintiff and the respondents herein is the defendants in O.S.No.344 of 2018. The above said suit has been filed by the revision petitioner herein/plaintiff before the learned II Additional Subordinate Judge, Madurai for permanent injunction. During the pendency of the suit in O.S.No.344 of 2018, the revision petitioner herein/plaintiff has filed an interlocutory application in I.A.No.445 of 2018 in O.S.No.344 of 2018 for temporary injunction restraining the respondents/defendants and their men, agents, henchmen or persons claiming any right over the plaintiffs church through any document executed by the respondents/defendants from interfering with the petitioner/plaintiffs peaceful, lawful management, administration of Christ Church, Ilanthope, Karimedu which comes under the parent church of Saint George's Church, Madurai pending disposal of the main suit and grant ad-interim injunction to that effect pending disposal of the application. It is stated that the petition is filed in the year 2015. Without passing any order the petition is pending and that a direction may be given by this Court for an early disposal, in the interest of justice.

3. Heard the learned Counsel for the petitioner and perused the materials available on record.

4. A perusal of the 'B' Diary extract would fortify the contentions made by the learned counsel for the petitioner.

5. The case has been adjourned on several occasions without any valid reason.

6. Considering the merits of the case, this Court is inclined to direct the Court below to dispose of the I.A.No.445 of 2018 in O.S.No.344 of 2018, within the stipulated period.

7. In view of the above, the learned II Additional Subordinate Judge, Madurai is directed to dispose of the I.A.No.445 of 2018 in O.S.No.344 of 2018, on merits and in accordance with law, within a period of ten days, from the date of receipt of a copy of this order, after issuing notice to both the parties.

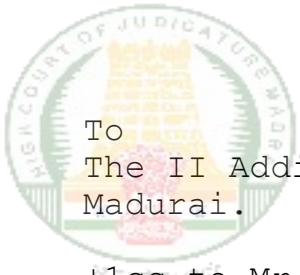
8. The Civil Revision Petition is ordered accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/

Assistant Registrar (CO)

/True copy/

Sub Assistant Registrar (CS-II)



To
The II Additional Subordinate Judge,
Madurai.

+1cc to Mr.K.K.KANNAN, Advocate, SR.No. 75695

+1cc to Mr.M.RAJARAMAN, Advocate, SR.No.76105

C.R.P. (MD) No. 1544 of 2018
30.07.2018

KSA
KK/SKN/SAR-2/25.09.2018/3P-4C