



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Tuesday, the Thirty First day of July Two Thousand Eighteen

PRESENT

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The Hon`ble Mr.Justice M.V.MURALIDARAN

C.M.P.(MD) Nos.6912 to 6915 of 2018

IN

CRP(MD) No.2574 of 2015

PASTOR SAM. SUDHAKAR

... PETITIONER/ 2nd RESPONDENT
IN ALL THE PETITIONS

Vs

1 PASTOR AMBROSE

2 JEYARAJ THANGAVELU

... RESPONDENTS 1&2/ PETITIONERS
IN ALL THE PETITIONS

3 EDWARD DANIEL CHANDRASEKAR

4 EXECUTIVE COMMITTEE MEMBERS
OF THE NORTH TAMIL CONFERENCE
OF 7th DAY ADVENTISTS,
REPRESENTED BY ITS PRESIDENT,
HAVING OFFICE AT NO.20/2,
WILLIAMS ROAD, TIRUCHIRAPPALLI-1.

5 M.JOHN LOUISE

... RESPONDENTS 3,4 & 5/
RESPONDENTS 1,3 & 4
IN ALL THE PETITIONS

6 PASTOR K.CHELLADURAI

7 R.JOHN

... RESPONDENTS 6 & 7/
RESPONDENTS 5 & 6
IN ALL THE PETITIONS

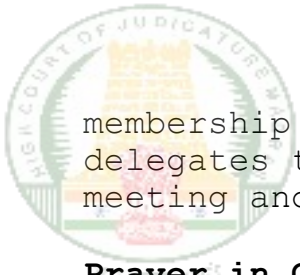
PRAYER IN C.M.P. (MD) No.6912 IN CRP(MD) No.2574 of 2015:

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to to direct the Honourable Commissioner to convene a meeting among the official delegates permitted by the Organizing Committee / 4th respondent headed by the Election Officer, to conduct election, nominate 21 members and to conclude the election process in accordance with by law.

Prayer in CMP(MD) . 6913/ 2018 IN CRP(MD) No.2574 of 2015:

<https://hcservices.ecourts.gov.in/hcservices/>

Pleased to direct the Honourable Commissioner to permit the organizing committee with the presidentship to conduct the



membership audit of the churches and to decide the number of delegates to each of the Churches to participate in the constituency meeting and to punish the voters list after following eligibility.

Prayer in CMP(MD) . 6914/ 2018 IN CRP(MD) No.2574 of 2015:

Pleaded to direct the Honourable Commissioner to convene the outgoing Organising Committee/ 4th respondent to decide the date, time and venue for conduct of election / constituency committee meeting.

Prayer in CMP(MD) . 6915/ 2018 IN CRP(MD) No.2574 of 2015:

Pleaded to direct the Honourable Commissioner appointed on 20.06.2018 in CRP No.2574 of 2015 to follow the bylaw of the North Tamil Conference of SDA in conducting election to the Organizing Committee / 4th respondent of the North Tamil Conference.

Prayer in CRP(MD) . 2574/ 2015 :

To issue an order to set aside the order passed by the 2nd Additional Sub Judge, Tiruchirappalli in CMA.No.23/2014 dated 04.11.2015.

ORDER : These petitions coming on for orders upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of Mr.C.JEGANATHAN, Advocate for M/S.VEERA ASSOCIATES for the petitioner in all the petitions, the court made the following order:-

Heard the learned counsel for the petitioner.

2. These Civil Miscellaneous Petitions have been filed, seeking for the following relief:

Sl.N o.	Case No.	Prayer
1.	C.M.P. (MD) No.6912 of 2018	To direct the Hon'ble Commissioner to convene a meeting among the official delegates permitted by the Organizing Committee / 4 th respondent headed by the Election Officer, to conduct election, nominate 21 members and to conclude the election process in accordance with by law. .
2.	C.M.P. (MD) No.6913 of 2018	To direct the Honourable Commissioner to permit the organizing committee with the presidentship to conduct the membership audit of the churches and to decide the number of delegates to each of the Churches to participate in the constituency meeting and to punish the voters list after following eligibility.



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3.	C.M.P. (MD) No.6914 2018	of	To direct the Hon'ble Commissioner to convene the outgoing Organising Committee/ 4th respondent to decide the date, time and venue for conduct of election / constituency committee meeting.
4.	C.M.P. (MD) No.6915 2018	of	To direct the Hon'ble Commissioner appointed on 20.06.2018 in CRP No.2574 of 2015 to follow the bylaw of the North Tamil Conference of SDA in conducting election to the Organizing Committee / 4th respondent of the North Tamil Conference.

3. On 16.04.2018, this Court had appointed the Hon'ble Mr.Justice V.Dhanapalan, a Retired Judge of Madras High Court as Election Officer along with Mr.R.Karunanidhi, Advocate as Assistant Election Officer, to conduct the election of North Tamil Conference of Seventh Day Adventist, Thiruchirappalli and subsequently, on account of the demise of the Hon'ble Mr.Justice V.Dhanapalan, this Court had appointed the Hon'ble Mr.Justice T.Mathivanan, a Retired Judge of this Court as the new Election Officer (in the place of the Hon'ble Mr.Justice V.Dhanapalan).

4. Thereafter, the 2nd respondent in the main petition / petitioner herein had filed two petitions in C.M.P.(MD) No.5155 and 5156 of 2018 in C.R.P.(MD) No.2574 of 2015, seeking to modify the order dated 16.04.2018 as well as to stall the election process, which were allowed by this Court on 21.06.2018. Subsequent thereto, the 2nd respondent / petitioner herein has once again took out four applications seeking for the relief stated supra.

5. It is reported that the newly appointed Election Officer, namely, the Hon'ble Mr.Justice T.Mathivanan, a Retired Judge of this Court has already commenced the process of election as per the bye-law and vide previous order dated 21.06.2018, the parties were also given an opportunity to submit their grievances before the Election Officer and therefore, there is no need to pass any orders in these applications filed by the petitioner, as the said exercise will definitely prolong the commencement of election process, causing detriment even to both parties. Moreover, the petitioner has been filing petitions one after the other with the same prayer in a different form, by adopting dilatory tactics so as to stall the election process, which cannot be permitted.

6. Taking into consideration the fact that the election itself is going to be conducted only as per the bye-law and considering the fact that this Court had already fixed a cut off date for the conduct of the election, any positive order to be passed in these applications will definitely bring the entire matter a standstill.



7. Hence, this Court is of the view that there is no merit in these petitions. Accordingly, all these Civil Miscellaneous Petitions are dismissed as devoid of merits.

sd/-
31/07/2018

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

THE 2ND ADDITIONAL SUBORDINATE JUDGE,
TIRUCHIRAPPALLI.

COPY TO:

THE REGISTRAR(JUDICIAL)
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to M/S.VEERA ASSOCIATES Advocate SR.No.76136
+2CC TO Mr.HEROLD SINGH, Advocate, Sr Nos.76094,76311

ORDER IN
C.M.P.(MD) Nos.6912 to 6915 of 2018
IN CRP(MD) No.2574 of 2015
Date :31/07/2018

MS/VR-MMS/SAR-4/20.09.2018/4P.6C