

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Thursday, the Thirteenth day of June Two Thousand Nineteen

PRESENT

THE HON`BLE MR JUSTICE M. GOVINDARAJ

CMP Nos.11903 and 10156 of 2019

IN CRP.PD.1552/2019

1 THE SECRETARY [PETITIONER IN CMP.11903/2019]
ARCOT LUTHERAN CHURCH,
9, ALC CAMPUS, CUDDALORE

Vs

1 PASTOR/CHAIRMAN [1 TO 4 RESPONDENTS IN CMP.11903/19
PASTORATE COMMITTEE, & 1ST RESPONDENT IN CMP.10156/19 &
ARCOT LUTHERAN CHURCH, 1 TO 3 PETITIONER IN CMP.10156/19]
POLUR (ELECTION OFFICER),
DHANISHMISSION SCHOOL CAMPUS,
POLUR TOWN, POLUR TK,
TIRUVANNAMALAI DISTRICT.

2 S.PREMKUMAR

3 S.T. ANANADHARAJA

4 S. JEEVANANDHAM

Petitions praying that in the circumstances stated therein and in the respective affidavits filed therewith the High Court will be pleased

(i) to implead the Petitioner as the 4th Respondent in CMP No.11216/2019 in CRP No.1552/2019 on this file of this Honble Court (IN CMP.NO.11903 OF 2019) and;

(ii) To grant ad interim injunction restraining the respondent, their men, agents servants and subordinates from conducting the pastorate committee election proposed to be held on 27.04.2019 which is the subject matter in OS No.96/2019, on the file of the District Munsif Court, Polur or such other date to which it may be postponed, (in CMP.10156/2019) pending disposal of the above CRP.PD.1552/2019 respectively.

Order : These petitions coming on for orders upon perusing the petitions and the affidavit filed in support thereof and upon hearing the arguments of M/S.SRINATH SRIDEVAN, Advocate for the petitioner in CMP.11903/2019 and of MR.R.RAJA RAJAN, ADVOCATE for the 1 TO 4 RESPONDENTS IN CMP.11903/19 & 1ST RESPONDENT IN CMP.10156/19 & 1 TO 3 PETITIONER IN CMP.10156/19 the court made the following order:-

The respondents 2 to 4 in the present petition has filed a suit for injunction before the learned District Munsif, Polur, seeking injunction restraining the 1st respondent from conducting the Election for Pastorate Committee Members without preparation of a valid voters list and also sought for appointment of an Advocate Commissioner for preparation of voters list for the Election of Pastorate Committee, Polur.

2.In that dispute, this Court, while dealing with the interlocutory application for injunction has granted an order of status-quo dated 09.05.2019, as regards the affairs and management of the Church Board. Aggrieved over the same, the Church Board is present before this Court.

3.Heard arguments in both sides.

4.During the course of arguments, the parties have consented for verification of voters list and conduct of Election with the assistance of a Court appointed Advocate Commissioner. Accordingly, by consensus Mr.Emilias, learned Senior Advocate is appointed as an Advocate Commissioner to verify the voters list and to conduct the Election with the assistance of the officer deputed by the Church Board.

5.Accordingly, the parties were directed to frame a schedule of dates for verification of voters list for conducting the election and publication of results by consensus.

- | | |
|-------------------------------------|--------------|
| 1. Publication of Valid Voters List | - 24.06.2019 |
| 2. Polling | - 30.06.2019 |
| 3. Publication of Results | - 30.06.2019 |

6.The Election Officer will decide as to the dates of nomination, scrutiny and withdrawal of nominations between the above said dates and polling to be conducted on 30.06.2019.

7.In view of the framing of schedule, this Court is of the considered view that the petitioner/Church Board is free to notify its Election after publication of valid voters list i.e., to say on 24.06.2019. However, the final date of filing nomination for the election of Church Board shall be after first week of July i.e., after publication of election results for the Pastorate Committee, Polur.

8.The plaintiff shall pay a sum of Rs.50,000/- as initial remuneration to the Advocate Commissioner within a period of one week and also bear all expenses towards conducting the election.

9.In view of the orders passed in C.M.P.No.11903 of 2019 in C.R.P.No.1552 of 2019, the original suit in O.S.No.96 of 2019 filed by the parties is withdrawn from the file of the District Munsif Court, Polur and closed.

-sd/-

13/06/2019

/ TRUE COPY /

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

TO

1 THE DISTRICT MUNSIF
POLUR.

C.C. to M/S.SRINATH SRIDEVAN Advocate on payment of necessary charges

Order

in

CMP Nos.11903 and 10156 of 2019

in

CRP.PD.1552/2019

Date :13/06/2019

From 26.2.2001 the Registry is issuing certified
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VC (11/06/2019)
RRI 18/06/2019 (IT)

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