



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.03.2019

CORAM

THE HON'BLE MR.JUSTICE **S.S.SUNDAR**

C.R.P (PD) (MD) No.1332 of 2013

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1.J.Roselin Santha Kumari
2.Y.Jabakani
3.G.Johnson Ayyadurai
4.J.Jesu Raj
5.K.Sornaraj

: Petitioners/Defendants 6-10/Defendants 6-10

.. Vs ..

1.G.David : Respondent/Petitioner/Plaintiff

2.The C.S.I.,
Tuticorin Nazareth Diocese,
Through its Bishop.

3.The Moderator,
Church of South India,
Bishop-in-Charge,
CSI Tuticorin - Nazareth Diocese.

4.The Moderator's Commissary,
CSI - Tuticorin - Nazareth Diocese.

5.The Treasurer,
CSI - Tuticorin - Nazareth Diocese.

6.The Council Chairman,
Rev. T.G.Ragland Church Council,
Kovilpatti.

: Respondents/Respondents 1-5/
Respondents 1-5

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to allow this Civil Revision Petition by setting aside the order passed by the learned District Munsif, Kovilpatti in I.A.No.885 of 2013 in O.S.No.189 of 2013, dated 02.08.2013.

For Petitioners : Mr.K.Gurunathan
For Respondent 1 : Mr.R.Anand
For Respondent 5 : Mr.G.Prabhu Rajadurai
For Respondents : No appearance
2, 3, 4 & 6

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**ORDER**

This Civil Revision Petition is directed against the order passed in I.A.No.885 of 2013 in O.S.No.189 of 2013 on the file of the District Munsif, Kovilpatti.

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2.The Civil Revision Petitioners are defendants 6 to 10 in the suit in O.S.No.189 of 2013. The suit in O.S.No.189 of 2013 on the file of the District Munsif Court, Kovilpatti, was filed by the first respondent in this Civil Revision Petition for a declaration that the election for Pastorate Worker Representatives held on 06.07.2013 in the Rev.T.G.Ragland Church Council and the consequential results declared on 20.07.2013 are illegal and void and for consequential permanent injunction restraining the defendants 1 to 5 from permitting the revision petitioners to take part in the Diocesan Council Meeting scheduled on 07.08.2013 or on any subsequent date. The suit is also for permanent injunction restraining the revision petitioners from participating in any proceedings of the Diocesan Council Meeting.

3.The first respondent/plaintiff in the suit has also filed an interlocutory application in I.A.No.885 of 2013 for an ad-interim injunction restraining the defendants 1 to 5 from permitting the revision petitioners to take part in the Diocesan Meeting on 07.08.2013 or on any subsequent date and to restrain the revision petitioners from taking part in the Diocesan Council Meeting either on 07.08.2013 or on any subsequent date.

4.The trial Court has granted an order of injunction as prayed for by order dated 07.08.2013 even before issuing notice to the defendants. It is the order of the lower Court granting ad-interim injunction, the above Civil Revision Petition is filed.

5.The learned Counsel appearing for the petitioners fairly submitted that the suit itself has been dismissed for default. It is further stated that no steps have been taken to restore the suit on file. In the above circumstances, this Court is of the view that the Revision Petition has become infructuous and accordingly, closed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (W)

/ True Copy /



To

The District Munsif,
Kovilpatti.

C.R.P (PD) (MD) No.1332 of 2013
20.03.2019

ES/04.06.2019/3P/2C