

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2021

CORAM

THE HONOURABLE MR.JUSTICE **V. PARTHIBAN**

Application No.3392 of 2013
in
CS.No.D21587 of 2013

J.Jerold Dhanaraj
Church Council Member,
John Thomas Church Council,
Thoothukudi – Nazereth Diocese,
Meignanapuram,
Thoothukudi.

... Plaintiff

Vs.

1.The Moderator,
The Church of South India – Synod,
(The Bishop-In-charge)
Church of South India,
Toothukudi – Nazereth CSI Diocese,
No.5, Whites Road,
Royapettah,
Chennai – 600 014.

2.The Treasurer – cum – Convenor,
Election Disputes Commission,
Toothukudi – Nazereth CSI Diocese,
Caldwell High School Campus,
Thoothukudi.

3.The Vice Chairman,
Toothukudi – Nazereth CSI Diocese,
Caldwell High School Campus,
Thoothukudi.

4.The Chairman,
Rev.John Thomas Church Council,
Church of South India,
Meignanapursm,
Thoothukudi District.

5.Arul Raja
6.A.Edward Jeyaseelan
7.R.Nancy Jermila
8.R.Martin Ranjith Singh
9.Soosannal
10.S.Selton
11.V.Sudahar Durairaj
12.K.S.Samuel Marshal Jeya Selvan
13.Pon Rani
14.D.Raja Singh
15.Jacob Manohar
16.A.Clemency Joy
17.Nirmal Singh
18.Panneer ... Defendants

Prayer: Application filed under Order XIV Rule 8 of O.S.Rules r/w Order 3 Rule (1) of O.S.Rules and Clause 12 of Letters Patent, praying to grant ad-interim injunction restraining the respondents/defendants 1 and 2 from convening the Toothukudi – Nazereth Diocese Council meeting and for election for Executive Committee Members of the Diocese Council on 7th and 8th August 2013 by accommodating the defendants 5 to 16 elected from Rev.John Thomas Church Council on 06.07.2013 to cast their votes in the election, pending disposal of the above suit.

For Plaintiff : Mr.Rajasekaran
Mr.Krishna

JUDGMENT

When this matter is taken up for hearing learned counsel for respondents/defendants would submit that the prayer as sought for in the plaint has become infructuous, since it relates to the validity of the elections which was conducted on 06.07.2013. Learned counsel for the defendants would submit that after the said elections, periodical elections have been held and therefore nothing really survives for consideration as on date.

2.Learned counsel for the plaintiff however would submit that he would like to place submissions but this Court is not inclined to grant adjournment in view of the averments and the prayer as contained in the plaint. Therefore, this Court is in agreement with the submission of the learned counsel for the defendants and is also convinced that the suit has become infructuous. Therefore this Application stands dismissed as infructuous. No costs. Consequently, the Civil Suit stands closed at SR stage.

28.04.2021

mrn
Index : Yes/No
Internet : Yes/No

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V.PARTHIBAN, J.

mrm



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