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THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2021

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No. 24916 of 2021

and

W.MP. No.26233 of 2021

1. J.Sharapaul
2. Gaddam James
3. Baoldepuri Venkataiah @ B.Victor Paul
4. Devarapalli Vijaya Lakshmi

.. Petitioners

Versus

- 1.The Principal Secretary,
Minority Welfare Department,
State of Tamil Nadu
Secretariat, Chennai.
- 2.The Director,
Department of Minority Welfare Department,
Khalasa Moghal Heritage Building
First Floor, Chepauk, Chennai.
- 3.The Registrar of Companies
Block No.6, B-Wing,
Second Floor, Shastri Bhavan,
26, Haddows Road,
Chennai.
- 4.The Director,
CMC Hospital,
IDA, Scuudar Road,
Vellore.
- 5.Church of South India Trust Association
(CSI TA)
Rep. by its Chairman,
No.5, Whites Road, Royapettah,
Chennai-14, Tamil Nadu.
- 6.Church of South India Trust Association
(CSI TA)
Rep. by Honorary Secretary,
No.5, Whites Road, Royapettah,
Chennai-14.



7.The Church of South India
(CSI TA)
Rep. by its Moderator,
Synod Rt.Rev.A.Dharmaraj Rasalam,
No.5, Whites Road,
Royapettah, Chennai-14.

8.Rt.Rev.K.Reubenmark

9.Fernandex Rathina Raj

10.The Chairman
Lay Sub-Committee,
Bishopric Panel Formation in Dornakkal Diocese,
Cathedral Compound, Dornakal,
Mahaboobabad District, Telangana State.

11.Rt.Rev.K.Reubenmark

12.The Diocesan Secretary
Dornakal Diocesan Office,
Epiphany Cathedral Compound,
Dornakal-506 381.

13.The Treasurer,
CSI Dornakal Diocese,
Epiphany Cathedral Compound,
Dornakal-506 381.

14.Rev.Kodirekkala Padma Rao

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the constitution of Lay Sub-Committee, Bishopric Panel Election, Dornakal on 20.10.2020 in pursuance of the mandate of Moderator/7th respondent vide No.M1/03/257/2020, dated 22.09.2020 and the certificate of election dated 20.06.2021 issued by the Moderator/7th respondent appointing the Rev. K.Padma Rao/14th respondent as Bishop of Church of south India, Dornakal Diocese without following the procedures provide in the constitution of church of South India by the 7th respondent and quash the same and consequently, direct the 7th respondent to issue a fresh mandate to form a lay sub-committee for purpose of conducting election for the post of Bishop of Church of South India, Dornakal Diocese.

For Petitioner : Mr.A.R.L.Sundaresan,
Senior Counsel
For A.L.Gandhimathi

For Respondents : Mr.M.R.Gokulkrishnan for R1 & R2
<https://hcservices.ecourts.gov.in/hcservices/> Government Advocate
Mr.S.Srinivasamoorthy For R3
Standing Counsel for R3



ORDER

The petition has been filed challenging the appointment of Rev.Kodirekkala Padmarao as Bishop in Dornakal Diocese in pursuance to the mandate M1/03/257/2020, dated 22.09.2020 issued by the 7th respondent directing the 12th respondent to arrange for the election of the panel of Bishopric of Dornakkal diocese and also to summon a meeting of the executive committee of the diocesan council to elect a lay sub-committee for the conduct of the election for the bishopric panel in accordance with the various provisions and procedures contemplated in the Chapter VI of CSI Constitution specially meant for election, appointment, consecration and installation of Bishops in the diocese and the said church is within the administrative and ecclesiastical jurisdiction of the synod and in turn the church of south India trust association.

2. The petitioners herein had filed their objections to the Chairman, Lay Sub Committee but the said Committee did not give any response to the petitioners objections. Without considering the objections, the 7th respondent, vide proceedings No.M1/03/257/2020 dated 22.09.2020 appointed the said Rev.K.Padma Rao/14th respondent as Bishop in CSI Dornakkal Diocese. Challenging the said proceedings, the present writ petition has been filed.

3. Heard the learned Senior Counsel for the petitioner, the learned Government Advocate appearing for the respondents 1 & 2 and the learned Standing Counsel for the 3rd respondent and perused the materials available on record.

4. Considering the fact that the issue involved in this matter is not jurisdiction of this Court, therefore, without expressing any opinion on the merits of the case, this Court directs the petitioners to approach the Telangana High Court for getting appropriate remedy and this Court have no territorial jurisdiction.

5. With the above direction, this Writ Petition is disposed of for want of jurisdiction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

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To

1.The Principal Secretary,
Minority Welfare Department,
State of Tamil Nadu
Secretariat, Chennai.

2.The Director,
Department of Minority Welfare Department,
Khalasa Moghal Heritage Building
First Floor, Chempauk, Chennai.

3.The Registrar of Companies
Block No.6, B-Wing,
Second Floor, Shastri Bhavan,
26, Haddows Road,
Chennai.

+lcc to M/s.AL.Ganthimathi, Advocate SR. No.61865
+lcc to Government Pleader SR. No.61962

W.P.No. 24916 of 2021
and
W.MP. No.26233 of 2021

KSM (CO)
PR (19/01/2022)