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C.S.NO.196 OF 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2023

CORAM

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

C.S.NO.196 OF 2021
AND APPLICATION NO.112 OF 2023

1.The Bishop Rt. Rev. Dr.J. George Stephen
S/o. Jeyaraj
Bishop in Madras
Church of South India
No.226, Cathedral Road,
Chennai – 600 086.

2.The Diocese of Madras
Represented by its Secretary
Rev. Dr.Manuel S. Titus
S/o. Rev. Manual Swaminathan
Church of South India
No.226, Cathedral Road,
Chennai – 600 086.

.. Plaintiffs

VS.

1.The Most Rev. A. Dharmaraj Rasalam
The Moderator
Church of South India
Synod Secretariat
CSI Centre, No.5, Whites Road,
P.O.Box No.688, Royapettah, Chennai – 14.



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2.The Church of South India
Represented by its General Secretary
CSI Centre, No.5, Whites Road,
P.O.Box No.688, Royapettah, Chennai – 14.

- 3.Rev. Dr.Pearly Usha Walter
- 4.D.Bright Joseph
- 5.Santhi
- 6.V.Sampath Kumar
- 7.B.Rufus Jayaraj
- 8.S.Nevil Raj
- 9.K.Viswanadhan
- 10.S.Britto Santharaj
- 11.D.Jeyakumar
- 12.G.Abiraham
- 13.A.Selvaraj
- 14.J.Freedy Baskaran
- 15.Rev. W.S.J.Richardson
- 16.Rev. D.Paul Jesudoss
- 17.Rev. L.Gideon Dhinakaran
- 18.P.J.Nishkalavani
- 19.Ruban Doss

(Defendants 3 to 19 impleaded vide common
order dated 25.08.2021 in A.Nos.2306, 2309,
2366, 2367, 2368, 2369, 2370, 2371, 2193,
2194, 2365, 2357, 2358, 2359, 2360, 2356,
and 2355 of 2021 in C.S.No.196 of 2021)

.. Defendants

PRAYER: Civil Suit filed under Order IV Rule 1 of High Court Original Side Rules 1956 read with Order VII Rule 1 of Civil Procedure Code for the following reliefs :

(a) To declare that the action of the defendants under letter dated 29.05.2021 appointing a Commission to inquire into the complaints regarding



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the conduct of the Diocesan Council Meeting and the elections of CSI Diocese of Madras held on 13th and 14th April 2021 or any further action by the defendants in any other manner in interfering with the internal affairs of the plaintiff Diocese which is contrary to law, to the provisions of the Constitution of Church of South India of the (Synod) as well as the Constitution of the Church of South India Madras Diocese as illegal and void;

(b) To grant permanent injunction, restraining the defendants their nominees, appointees, representatives, assignees, administrators, executors and agents from interfering with the internal affairs and administration, including the conduct and business of the Madras Diocesan Council of the plaintiffs, the election disputes with respect to the various Committees of the plaintiffs Diocese, as well as the ministerial stationing transfers, in any manner contrary to the Law and to the provisions of the Constitution of Church of South India of the Synod as well as the Constitution of Church of South India of Madras Diocese;

(c) For costs of the Suit.

For Plaintiffs	:	Mr.V.P.Raman
For Defendants 1& 2	:	Mr.Adrian D.Rozario
For Defendant 3	:	Mrs.S.Deepika
For Defendant 4	:	Mr.R.Annamalai
For Defendants 7, 9,10&12:	:	Mr.V.Kataria

J U D G M E N T

When the matter is taken up for hearing, the second plaintiff is present and seeks permission of this Court to withdraw the Suit and he has also made an endorsement to that effect in the Court bundle.

As far as the first plaintiff is concerned, his term has already



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been over and the Suit itself is for taking action on the letter dated 29.05.2021 and the meetings held on 13.04.2023. Now, much water has been flown and elections are now under process.

In such view of the matter, the subject matter of the Suit has become infructuous and therefore, the Suit is dismissed as nothing survives for further adjudication. However, it is made clear that if the first plaintiff succeeds in the appeals filed in O.S.A.Nos.189 and 191 of 2023, liberty is granted to him to restore the Suit. No costs. Consequently, connected application is closed.

24.11.2023

Index : Yes/No
Neutral Citation: Yes/No
Speaking / Non-speaking order
TK

LIST OF WITNESSES EXAMINED ON THE SIDE OF THE PLAINTIFFS – NIL
LIST OF WITNESSES EXAMINED ON THE SIDE OF THE DEFENDANTS – NIL

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N.SATHISH KUMAR, J.

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