



CMP(MD) No.6179 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Monday, the Seventeenth day of July Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice S.S.SUNDAR

and

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CMP(MD) No.6179 of 2023

IN

CONT A(MD) No.9 of 2022

HEMANTHRAJ

... PETITIONER/PETITIONER/THIRD PARTY

Vs

1 RT.REV.D.D.DANIEL JAYARAJ

S/O. DEVASAGAYAM,

BISHOP OF TRANQUEBAR / PRESIDENT,

TAMIL EVANGELICAL LUTHERAN CHURCH,

TRANQUEBAR HOUSE, MELAPUDUR,

TRICHY -1.

...1st RESPONDENT/1st RESPONDENT/APPELLANT

2. THE TAMIL EVANGELICAL LUTHERAN CHURCH,,

REPRESENTED BY ITS SECRETARY A.MEHAR ANTONY,

HAVING OFFICE AT POST BOX NO.86, TELC,

CENTRAL OFFICE, TRANQUEBAR HOUSE,

MELAPUTHUR, TIRUCHIRAPPALLI -1

3. A. MEHAR ANTONY,

S/O.LATE.ANTONY, SECRETARY,

CHURCH COUNCIL,

THE TAMIL EVANGELICAL LUTHERAN CHURCH,

NO.731, 4TH STREET, ANNA NAGAR WEST EXTENSION,

CHENNAI-600 101.



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4. REV. J. CHELLADURAI,
S/O.JESTIN,
MEMBER, CHURCH COUNCIL,
TAMIL EVANGELICAL LUTHERAN CHURCH,
CHAIRMAN/PASTOR,
TELC CHURCH, NO.1981,
KUNJITHAPATHAM NAGAR,
SOUTH TOWN STATION,
MAYILADUTHURAI,
NAGAPATTINAM DISTRICT.

5. D. WILFRED DANIEL,
S/O.DANIEL ARUL,
MEMBER, CHURCH COUNCIL,
TAMIL EVANGELICAL LUTHERAN CHURCH,
NO.162, ARUL ILLAM CHURCH STREET,
NGO COLONY, SALAMEDU, VILLUPURAM-605 402

6. REV. S SAMUEL ABRAHAM,
S/O.SOOSAI,
VICE PRESIDENT, CHURCH COUNCIL,
TAMIL EVANGELICAL LUTHERAN CHURCH,
CHAIRMAN/PASTOR,
NO.5/3053, 1ST STREET, BEXEL NAGAR,
MATCHUVADI, PUDUKKOTTAI.

7.THANGAPAZHAM
S/O.DEVASAGAYAM,
MEMBER, CHURCH COUNCIL,
TAMIL EVANGELICAL LUTHERAN CHURCH,
NO.8-1, IDUMBAN COMPOUND,
TEEKADIR OPP. K.SALAIPODUR,
MADURAI-625 018



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8. R. BENJAMIN JEYARAJ,
S/O.RAJARATHINAM,
TAMIL EVANGELICAL LUTHERAN CHURCH,
NO.968, TELC CHURCH CAMPUS,
RAJA STREET,
COIMBATORE-641 001. ...RESPONDENTS 2 TO 8/ RESPONDENTS 2 TO 8
/ RESPONDENTS 1 TO 7

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to permit the petitioner to exchange of land measuring about 25 cents in survey No.226/3 belonging to Tamil Evangelical Lutheran Church (TELC) the second respondent as requested by the petitioner in his letters dated 27-07-2021 and 17-09-2022 sent to second respondent with the equal extent of land belonging to petitioner in Survey Nos.226/1 and 227/1C on the Northern side of Survey Nos.226/1 and 227/1C, in Valarapuram Village, Sriperumbudur Taluk, Thiruvallur District abutting the road as indicated in the sketch filed along with this petition as Annexure I and pass appropriate orders directing the Hon`ble Judge Administrator or his Authorised Officer representing TELC to execute and registrar the Exchange Deed at the cost of the petitioner before the concerned Sub Registrar office.

Common Prayer in CONT A(MD) Nos. 9 /2022 :

Contempt Appeals filed under Section 19 (1) of the Contempt of Courts Act, 1971 to set aside the order passed by the learned Single Judge in Contempt Application (MD)No. 1896 of 2021 dated 29.04.2022.

Common Prayer in CONT P(MD). 1896 of 2021 :

Contempt Petitions filed under Section 11 of the Contempt of Courts Act,1971 to issue summons and punish the Contemnors/respondents herein for wilfully disobeying the order dated 26-11-2021 passed by this Court in CMA(MD). No.619 of 2021.

Prayer in CMA(MD). 619 of 2021 :

Civil Miscellaneous Appeal filed under Section 104 r/w order 43 Rule 1 of Civil Procedure Code, to set aside the Fair and Decretal order dated 23.06.2021 passed in IA No.01 of 2020 in OS No.253 of 2020 by the learned I Additional District and Sessions Judge (PCR), Tiruchirappalli and allow this appeal.



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ORDER: These petitions coming up for orders on this day, upon perusing the petitions and the affidavit filed in support thereof and upon hearing the arguments of M/S.A.R.KANNAPPAN, Advocate for the petitioner and of MR.G.PRABHU RAJADURAI, Advocate for the 2nd Respondent and of respondents 1,3 to 8 are not appearing either in person or by an advocate, the court made the following order:-

[Order of the Court was made by S.S.SUNDAR, J.]

Learned counsel for the petitioner seeks permission of this Court to withdraw the Civil Miscellaneous Petition and he has also made an endorsement to that effect.

2. Recording the said submission and endorsement, this Civil Miscellaneous Petition is dismissed as withdrawn.

sd/-
17/07/2023

/ TRUE COPY /

/07/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJ

TO

THE ADDITIONAL DISTRICT AND SESSIONS JUDGE (PCR)
TIRUCHIRAPPALLI.



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1 THE REGISTRAR (JUDICIAL)
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

2 THE SECTION OFFICER,
CONTEMPT SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CMP(MD) No.6179 of 2023
IN
CONT A(MD) No.9 of 2022
Date :17/07/2023

PKP/MMS/SAR- /24.07.2023/ 5P/ 4C

Madurai Bench of Madras High Court is issuing certified
copies in this format from 17/07/2023