



W.P. Nos. 14410 & 14413 of 2024

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V.LAKSHMINARAYANAN, J.

The matter is listed under the caption “for being mentioned” at the instance of Mr.Vineeth Subramani.

2. During the course of argument of the writ petition, Mr.Ravi Paul had submitted that the Administrators appointed pursuant to the direction of this Court had taken charge of the Diocese. Mr.Vineeth Subramani made a mention on 19.06.2024 stating that this statement is factually incorrect. He stated that the administrators had taken charge only of Synod of the CSI and not of the Diocese. Therefore, I requested him to inform about his mentioning to both Mr.Ravi Paul and Mr.Adrian D.Rozario and posted the matter for clarification on the same day i.e., on 19.06.2024.

3.Mr.Ravi Paul very clearly stated that his statement that the Administrators had taken charge of the Synod was factually correct and they had taken charge only of the Synod. Hence, I have to modify the order accordingly. I had originally passed an order stating that the Secretary and Treasurer cannot assume office as the Hon'ble retired Judges who had been



appointed by this Court in the original side appeal were in office. By virtue of this clarification, it became clear that the Synod alone was under the control of the Administrators leaving the office bearers of the Diocese untouched. Therefore, I informed Mr.Adrian D. Rozario that I am deleting that portion of the order which would interfere with the rights of the petitioners assuming office consequent to the impugned order being set aside.

4. Before I signed the order passed by me on 19.06.2024, Mr.Adrian D.Rozario made a mention on 20.06.2024 stating that he had forgotten to take a plea at the time of argument of the writ petition that the Madras High Court has no jurisdiction to deal with the issue involved in the writ petition and wanted me to call the matter under the caption “for being mentioned”. He would also circulate a judgment of this Court in W.P.No.29616 of 2021 dated 26.11.2021 and would seek posting of the matter as stated above.

5. I am afraid that I am not in a position to comply with the request of Mr.Adrian D.Rozario. After hearing both sides, I had allowed the writ petition on 30.05.2024. The only reason it was posted for clarification was on account of the statement of Mr.Ravi Paul that had been recorded by me that the



administrators had taken charge. It did not make a difference with the quashing of the impugned orders in the writ petition.

6. It is settled by a Division Bench Judgment of this Court in **Nilgiri District Janatha Party vs. A. Rahim, 1996 2 LW 456** that an order originally passed cannot be modified or recalled by posting the matter under the caption “for Being Mentioned”. It is for the aggrieved party of the said order to prefer an appeal or a review as laid down by this Court. The point on territorial jurisdiction not having been raised by Mr.Adrian D.Rozario either on the forenoon of 30.05.2024 or in the afternoon when the matter was argued at length, I am not in a position to accede to his request.

7. All other observations made in the order dated 30.05.2024 shall remain intact.

19.06.2024

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