



W.P.No.16296 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.04.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.16296 of 2022
and W.M.P.No.15627 of 2022

Joseph Vasudevan

...Petitioner

-Vs -

1. The Government of Tamil Nadu,
Rep. by its Secretary,
Department of Revenue,
Fort St. George,
Chennai – 600 009.
2. The District Collector,
Office of the Collector,
Alwarpuram,
Madurai – 625 020.
3. The District Registrar,
Office of the District Registrar,
No.171, Palace Road,
Madurai South,
Madurai – 625 001.
4. The Sub Registrar,
Office of the Sub Registrar,
No.171, Palace Road,
Madurai South,
Madurai – 625 001.



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5. Church of South India SYNOD,
Rep. by its Moderator,
CSI SYNOD,
No.5, Whites Road,
Royapettah,
Chennai – 600 014.

6. CSI Diocese of Madurai Ramnad
Rep by its the Lay Secretary,
No.162, AVH Building 1st Floor,
East Veli Street,
Madurai – 625 001.

7. Chairperson – Lay Committee
(Election for Bishopric Panel)
Madurai and Ramnad Diocese,
No.162, AVH Building 1st Floor,
East Veli Street,
Madurai – 625 001.

8. Bishop
Madurai and Ramnad Diocese,
No.162, AVH Building 1st Floor,
East Veli Street,
Madurai – 625 001.

9. Rev.S.Eesiba Southiravalli
Presbyter,
CSI Church Batlagundu,
Dindigul District.

10. Rev. I.Jesler Roy,
Presbyter,
CSI Immanuel Church,
West Gate, Madurai.



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11. Rev. D. Jayasingh Prince Prabhakaran,
The Cathedral Church,
Narimedu, Madurai.

12. Rev.T.Samuvel Ravindra Victor Singh,
CSI Good Samaritan Church,
Dinamalar Avenue,
Bypass Road, Madurai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 4 to forthwith conduct enquiry against the violation of election rules and rigging the election for the post of Bishop to Madurai-Ramnad Diocese and cancel the election and to conduct the fresh election for the post of Bishop to Madurai-Ramnad Diocese.

For Petitioner	: No appearance
For Respondents	
For R1 to R4	: Mr.U.Baranidharan Additional Government Pleader
For R9	: Mr.V.Prakash, Senior Counsel For Mr.Adrian D. Rozario

ORDER

This writ petition has been filed for direction, directing the respondents 1 to 4, to conduct enquiry against the violation of election rules and rigging the election for the post of Bishop to Madurai-Ramnad Diocese and cancel the election and to conduct the fresh election for the post of Bishop to Madurai-Ramnad Diocese.



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2. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3. The similar issue was already dealt with by the Hon'ble Division Bench of this Court in ***W.A(MD)No.1221 of 2021*** in the case of ***D.Devdsahayam Vs. The Union of India & ors.***, by the Judgment dated ***28.11.2023***. Likewise the relief sought for in this writ petition also to take appropriate action against the Priests, Bishops and Moderators, who are all participating in the managing affairs of the Church. In respect of such disputed issues between the parties, mere direction to the respondents 1 to 4 would not serve any purpose. The parties are to be relegated to approach the competent forum for the purpose of adjudication of such disputed issues in the manner known to law. Therefore, the present writ petition is not at all maintainable and the direction sought for in this writ petition cannot be granted. The writ petition is devoid of merits and liable to be dismissed. However, the petitioner is at liberty to approach the Civil Court, if so advised, in the manner known to law.

4. Accordingly, the Writ Petition stands dismissed



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Consequently, connected miscellaneous petition is closed. There shall be no orders as to costs.

12.04.2024

Index : Yes/No
Speaking/Non Speaking order
Neutral Citation : Yes/No

rts

To

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