



WEB COPY

OSA.No.282 of 2



THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

OSA.No.282 of 2021

and

C.M.P.Nos.14125 of 2021 & 21772 & 23331 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. Manuel Swaminathan,
Church of South India, No.226, Cathedral Road,
Chennai – 600 086.

...Appellants

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 – 600 014.

2.The Church of South India Synod
Rep. by its General Secretary,
CSI Centre, No.5, Whites Road,
P.O. Box No.688, Royapettah,
Chennai – 600 014.



3.Rufusa Jayaraj

4.K.Viswanadan

5.S.Britto Santha Raj

6.Abiraham

...Respondents

[R3 to R6 impleaded vide order of Court
dated 25.09.2023 made in CMP.No.21772
of 2023 in OSA.No.282 of 2021]

Prayer: Original Side Appeal filed under Clause 15 of Letters Patent read with Order XXXVI Rule 9 of the Madras High Court Original Side Rules and Order XLIII Rule 1(r) of the Code of Civil Procedure, 1908, praying to set aside the judgment and decree dated 25.08.2021 passed in O.A.No.347 of 2021 in C.S.No.196 of 2021.

For Appellants : Mr.P.S.Raman, Senior Counsel
for Mr.V.P.Raman

For Respondents : Mr.V.Prakash, Senior Counsel
for Mr.Adrian D. Rozario for R1&R2
Mr.C.Vigneswaran for R3 to R6 –
No appearance

J U D G M E N T

(Judgment of the Court was made by R.SUBRAMANIAN, J.)

Challenge in this appeal is to the order of the learned single Judge made in O.A.No.347 of 2021 in C.S.No.196 of 2021, dismissing the



application for injunction restraining the respondents herein from interfering with the affairs of the CSI Diocese.

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2. Pending appeal, interim protection was granted by this Court by way of an interim order dated 02.09.2021. It is now brought to our notice that C.S.No.196 of 2021 itself has been dismissed. Since the 2nd plaintiff in the said suit wanted to withdraw the suit and the 1st plaintiff was disabled from acting as Bishop by an interim order granted in connected matters. Therefore, nothing survives for adjudication in this appeal.

3. This Appeal is therefore, **dismissed** without going into the merits of the rival contentions. This dismissal shall not be taken as a confirmation of the conclusions of the learned single Judge in the order under appeal. No costs. Consequently, connected miscellaneous petitions are closed.

(R.S.M., J.) (R.S.V., J.)
27.02.2024

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Index :No
Internet :Yes
Neutral Citation :No
Non-Speaking order

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and
R.SAKTHIVEL, J.

KKN

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