



O.A.Nos.1020 to 1025 of 2023 in
C.S.No.232 of 2023

WEB COURT **C.V.KARTHIKEYAN, J.**

All these applications have been filed by the plaintiffs in the suit seeking interim injunction restraining the first respondent CSI to proceed further with the decisions taken in the original meeting of the Synod held between 13th and 15th January 2023.

2. The decision taken in that particular meeting was to bifurcate CSI Coimbatore Diocese into two separate Diocese *viz.*, one at Erode and the other at Salem. On the side of the respondents, it had been stated that owing to administrative reasons, such a decision had been taken and it had actually been proposed right from the year 1994, since the region under Coimbatore CSI Diocese was quite larger both territory and administration wise. Thereafter, after following various procedures, had been originally decided to divide them into two by clubbing Nilgiris and Coimbatore into one Diocese and the other districts *viz.*, Erode, Salem, Dharmapuri and Krishnagiri as another Diocese. But thereafter, this decision was put on hold and a further decision was taken to re-examine the said proposal. Thereafter,



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a decision was taken to bifurcate the Coimbatore Diocese into two parts viz., Coimbatore, Erode, Nilgiris on the one hand and Tirupur, Krishnagiri, Dharmapuri and Salem on the other hand. This decision had been challenged. This Court is now informed that the matters are pending before the Hon'ble Supreme Court in Special Leave to Appeal (C) Nos.4187 & 4188 of 2022.

3. It is informed by the learned counsel for the plaintiffs that this bifurcation which took effect from 15.01.2023 had been put on hold by the Hon'ble Supreme Court by order dated 27.04.2023. The Hon'ble Supreme Court had also directed that no further policy decision should be taken.

4. It is contended on behalf of the plaintiffs that after bifurcation, an Administrative Committee has been appointed for Coimbatore Diocese and a Moderator had also been appointed. These decisions were again challenged in C.S.Nos.86 & 274 of 2022 and C.S.No.7 of 2023 which were also been filed by various plaintiffs on the same issue.



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5. It is quite clear that the members of the Diocese appear to have an affinity to institute suit after suit seeking the same relief. What is urged today is that this Court must reiterate the judicial decisions already taken.

6. The Hon'ble Supreme Court had already granted injunction so far as the Coimbatore Diocese is concerned. I do not see any rationale behind every separate litigant turning himself as a plaintiff and claiming more interest than the other plaintiffs and approaching the Court of law and seeking the very same relief. There cannot be multiplicity of suits. There cannot be orders passed repeating the orders already passed by the Hon'ble Supreme Court. The order of the Hon'ble Supreme Court is binding on all concerned with Coimbatore Diocese. The matter is now seized by the Hon'ble Supreme Court. The parties have to approach the Hon'ble Supreme Court, if they are interested and have to file an application to implead themselves in those matters if they seek additional reliefs or clarifications. But repeatedly filing suit after suit and calling upon this Court to reiterate the same order, cannot be encouraged. As a matter of fact, the order appointing Moderator was also set aside by a Division Bench of this Court.



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The election held on 15.01.2023 under which this particular decision was taken itself has been set aside by the learned Division Bench. It has been held as *void ab initio*.

7. The learned Division Bench of this Court had thereafter appointed two Judge-Administrators to oversee the administration and management of CSI Coimbatore. It is thus seen that owing to all these litigations, the administration of the Church of South India has been transferred from the Diocese to the Judge-Administrators. That particular issue is now pending before the Hon'ble Supreme Court.

8. I am also informed that on the similar issue, a Writ Petition was filed in W.P.No.6734 of 202 by Rev.T.Robinson and D.Vijayakumar, by taking an alternate route instead of filing a Civil Suit. That Writ Petition came up for consideration before a Single Judge of this Court. By an order dated 17.03.2023, the learned Single Judge had disposed of the Writ Petition by observing that since SLP Nos.4187 & 4188 of 2022 are pending before the Hon'ble Supreme Court, the petitioners may approach the Hon'ble



Supreme Court. The plaintiffs herein also stand in the same footing. The only difference is that this suit has been filed in a representative capacity under Order I Rule 8 of CPC. But that does not put the plaintiffs in any better position.

9. It is the relief which is sought before this Court which has to be examined and this relief has been sought in multiple suits and in multiple Writ Petitions. I am not prepared to pass any orders in favour of the plaintiffs. The matters are already pending before the Hon'ble Supreme Court. It would only be advisable for the plaintiffs to approach the Hon'ble Supreme Court and seek clarifications.

10. In view of the above stated reasons, all these applications are dismissed giving liberty to the plaintiffs, if they so desire to approach the Hon'ble Supreme Court and participate in these proceedings which are pending before the Hon'ble Supreme Court on the same issue.

16.07.2024

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