



OSA.Nos.204 and 205 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.Nos.204 and 205 of 2023

and

C.M.P.Nos.24375, 24378, 24377 and 24379 of 2023

Most Rev. Dharmaraj Rasalam
Moderator
Church of South India, CSI Synod
Secretariat, CSI Centre, No.5, Whites Road,
Royapettah, Chennai – 600 014.

...Appellant in both OSAs

Vs.

- 1.Dr.A.D.Seshadri
- 2.A.Selvaraj
- 3.S.Robert
- 4.Elizabeth J. Rani
- 5.G.Nalan
- 6.A.Vedaiah
- 7.Church of South India
Represented by its Moderator,
Most. Rev. Dharmaraj Rasalam,
CSI Synod Secretariat, CSI Centre,
No.5, Whites Road, Royapettah,
Chennai – 600 014.



8.Church of South India Trust Association,
Represented by its Hony. Secretary,
Mr.C.Femandas Rathina Raj,
CSI Synod Secretariat, CSI Centre,
No.5, Whites Road, Royapettah,
Chennai – 600 014.

9.Reuben Mark

10.Zeam Enock

11.Sarjine Thomas

...Respondents in both OSAs

Prayer: Original Side Appeal filed under Clause 15 of the Letters Patent read with Order XXXVI, Rule 9 of the Madras High Court Original Side Rules, against the order and decree dated 05.09.2023 in A.Nos.54 and 56 of 2023 in C.S.No.86 of 2022 on the file of this Court.

For Appellant : Mr.P.P.Hegde, Senior Advocate
for Mr.Vigneshwar Elango

For Respondents : Mr.Vineet Subramani for R1
Mr.K.Thilageswaran for R10 and R11
R2, R4 to R9 – served - No appearance
R3 – left



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COMMON JUDGMENT

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

These appeals are by the Moderator. Challenge is to the orders dated 05.09.2023 wherein, the learned single Judge had found that resolutions relating to amendment of the constitution of the Church of South India were not ratified by 2/3rd of the Diocesan Councils.

2.By our order passed today in O.S.A.No.69 of 2022, we have sustained the injunction granted by the learned single Judge in another suit on the ground that the meeting dated 07.03.2022 was not convened properly. The injunction granted specifically prohibits the Church of South India from implementing the resolutions regarding the increase in age of the Bishops and terms of the Office of the elected Bearers, which includes the Moderator who is the appellant in these two appeals. Therefore, these appeals also become ineffective, since any order passed in these appeals cannot be implemented in view of the prohibitory injunction that has been granted in C.S.No.45 of 2022.



3.Hence, these appeals are **disposed of as having become ineffective.**

We however, make it clear that disposal of the appeals will not mean that we have confirmed any of the findings of the learned single Judge in his order dated 05.09.2023. 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
Nuetral Citation	:No
Speaking order	



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and
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