



Rev.Aplc(MD).No.10 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.03.2024

CORAM

THE HONOURABLE MRS.JUSTICE K.GOVINDARAJAN THILAKAVADI,J.

Rev.Aplc(MD).No.10 of 2024

in

C.R.P(MD).No.1832 of 2023

Pastor Sam Sudhakar

...Review Petitioner

Vs.

- 1.The President,
North Tamil Conference of Seventh Day Adventists,
No.20/2, Williams Road, Trichy-1.
- 2.The Executive Secretary,
North Tamil Conference of Seventh Day Adventists,
No.20/2, Williams Road, Trichy-1.
- 3.The Treasure,
North Tamil Conference of Seventh Day Adventists,
No.20/2, Williams Road, Trichy-1
- 4.The President,
South East India Union of Seventh Day Adventists,
No.197, GST Road, Vandalur, Chennai-600 048.



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5.The Secretary,
South East India Union of Seventh Day Adventists,
No.197, GST Road, Vandalur, Chennai-600 048.
6.Jeyanthi Raja
7.N.V.Grace

...Respondents

Prayer: This Review Application is filed under Order 47 Rule 1 r/w Section 114 of Code of Civil Procedure, to review the order dated 10.11.2023 in C.R.P(MD).No.1832 of 2023 by allowing the review application.

For Review Petitioner : Mr.C.Gangai Amaran

ORDER

This Review Application is preferred against the order dated 10.11.2023 in C.R.P(MD).No.1832 of 2023 in C.M.P(MD).No.9172 of 2023 passed by this Court, stating that the petitioner has no locus standi to question the election process without proper appreciation of facts and therefore, the same is required to be reviewed.

2. In the review application, it is submitted that, the petitioner was a



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regular employee of the Service Association of Seventh Day Adventists (SERVSDA) Private Limited Company registered under the Indian Company's Act 1956. The petitioner served as an Officer in various capacities such as Church pastor, Department Director, Executive Secretary of the Conference, etc. Furthermore, the applicant served lastly as the President of the North Tamil Conference of Seventh Day Adventists (NTC), the highest body of self-governance within the Church, with its Head Office at Trichirapalli for more than 15 years since 2003. The valid fifth constituency was conducted in 2007 and the applicant was again elected as the President of NTC, with an extended tenure of five years to be completed by June 2012 and the 4th respondent, without any authority got suspended and upon revoking of the suspension, transferred the petitioner to a lower unit in May 2010. Therefore, for the aforementioned reasons, the order passed by this Court in C.R.P(MD).No.1832 of 2023 in C.M.P.(MD).No.9172 of 2023 dated 10.11.2023 that the petitioner has no locus standi to sue ought to be reviewed.

3.The learned counsel appearing for the review petitioner reiterated the same.



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4.Heard learned counsel for the review petitioner and records perused.

5.This Court in the above revision petition and Civil miscellaneous petition has passed the following orders, which is extracted as hereunder:

"12.The respondents have stated that the election process is completed and the entire process went smoothly and successfully. None of the delegates who had participated in the constituency session and who are competent to raise any issue, have not approached this Court. The revision petitioner, who is a stranger has approached this Court without any locus standi. Therefore, in the said circumstances, while coming across such abusive suit, it is a bounden duty of this Court to prevent such abuse of process of law by striking out the plaint. However, a remedy is available to the respondents to approach the trial Court, where the suit is pending by filing appropriate application. Since the election process is completed and the result alone is withheld as per the direction of this Court, the interim order passed in C.M.P. (MD) No.9172 of 2023 by this Court stands vacated. The respondents are permitted to publish the result of the election



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immediately after the receipt of the copy of this order."

6. Therefore, this Court appraising the events in the past and the competency of the petitioner to question the election process based upon appreciation of evidence concluded that the petitioner has no locus standi to sue. Therefore, I find no error apparent on the face of the record or any clerical mistake in the said order to be reviewed.

7. Accordingly, this Review Petition is dismissed.

20.03.2024

vsn

Internet: Yes/No

Index: Yes/No

Speaking/Non-speaking order

To

1. The President,

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