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OA No. 968 of 2025, 969
2025 and A. No. 4864 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

**OA No. 968 of 2025, 969 of 2025 and A. No.4864 of 2025
in
CS NO. 234 OF 2025**

1. P.J.Agimas
S/o.Mr.Paul Jacob, No.127, Gandhi
Salai, Velacherry, Ch-42

Applicant(s)

Vs

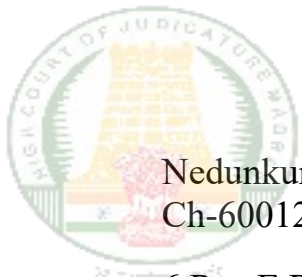
1. The Advent Christian Conference of
India and 12 others
Rep by its President, No.163, AAM
Compound Gandhi Road, Velacherry,
Ch-42

2.The Advent Christian Conference of
India
Rep by its General Secretary, No.163,
AAM Compound Gandhi Road,
Velacherry, Ch-42

3.The Advent Christian Conference of
India
Rep by its Treasurer, No.163, AAM
Compound Gandhi Road, Velacherry,
Ch-42

4.Rev.M.G.Bhakta Singh
S/o.M.G.Meshak, No.6,
Thulukanathamman Kovil
Street,Pallikaranai, Chennai-600100

5.K.Paul Dinakaran
S/o.Karnan, No.448, CSI Kovil Street,



Nedunkundram, Kolapuram,
Ch-600127

6.Rev.E.Robert

Advent Christian Church Perumbakkam
Main Road, Perumbakkam, Ch-100

7. Rev.D.Charles Ebenezer

Advent Chrisian Church, Velacherry
Main Road, Sembakkam, Ch-73

8.A.Lawrence

No.4/635, Thiruvallur Street,
Senthamilnagar, Medavakkam, Ch-100

9.B.Franklin Ebenezer

No.9, Dr.Ambedkar Street, Pallikaranai,
Ch-100

10.A.Easudoss

Advent Christain Church Mambakkam
Salai, West Ponmar, Ch-127

11.Rev.D.Yona Gnanakumaran

S/o.Durairaj, Advent Christian Church,
Natesan Street, Old Pallavaram, Ch-45

12.N.Immanuel

S/o.Mr.Nallamuthu, Advent Christian
Church, Nanmangalam, Ch-129

13.City Union Bank

Rep by its Branch Manager, No.3/197,
1st main Road, Perumbakkam, Ch-100

Respondent(s)

A No. 4864 of 2025

1. P.J.Agimas

S/o.Mr.Paul Jacob, No.127, Gandhi
Salai, Velacherry, Ch-42

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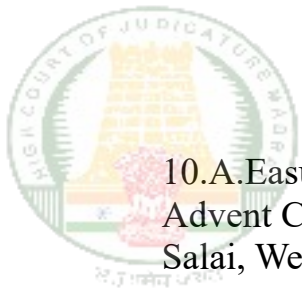
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Respondent(s)



OA No. 968 of 2025

PRAYER: This Original Application under Order XIV Rule 8 of Original Side Rules read with Order XXXIX Rule 1 and 2 of Code of Civil Procedure praying to grant an Interim Injunction restraining the 13th Respondent, their men, agents, representatives and any other persons allowing the respondents/defendants or their men, agents, servants or any other person from operating or using or fund transferring the 1st defendant Bank A/c. No.510909010259259, Perumbakkam Branch, Chennai 600 100 to the third parties or the respondents/defendants till disposal of the above suit.

A No. 4864 of 2025

PRAYER: This application has been filed under Order XIV Rule 8 of Original Side Rules read with Order XXXIX Rule 1 and 2 of Code of Civil Procedure praying to appoint an Administrator to conduct the election of the 1st defendants society Advent Christian Conference of India office bearers and file a report before this Hon'ble Court.

OA No. 969 of 2025

PRAYER: This Original Application has been filed under Order XIV Rule 8 of Original Side Rules read with Section 75 of Code of Civil Procedure praying to grant an Interim Injunction restraining the Respondents, their men, agents, representatives and any other persons claiming under them from encumbering, alienating, dealing, changing nature, letting out of the immovable property to



the third parties or creating charge over the suit property till disposal of the above suit and communicate the same to the SRO, Velacherry.

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For Applicant(s) [in M/s. D.Senthilkumar
three applications]:

For Respondent [in Mr. R. Balaji for
three applications]: M/s. Paul & Paul [for R1 to R6,
R7, R9 to R12]

M/S.HASAMUKH S.SURANA
[for R13]

ORDER

The application in **O.A. No.968 of 2025** has been filed to grant an interim injunction restraining the 13th respondent, their men, agents, representatives and any other persons allowing the respondents / defendants or their men, agents, servants or any other person from operating or using or fund transferring the 1st defendant's bank A/c No.510909010259259, Perumbakkam Branch, Chennai-600 100 to the third parties or the respondents / defendants till disposal of the above suit. The application in **O.A. No.969 of 2025** has been filed to grant an interim injunction restraining the respondents, their men, agents, representatives and any other persons claiming under them from encumbering, alienating, dealing, changing nature, letting out of the immovable property to the third parties or creating charge over the Suit property till disposal of the above Suit and communicate the same to the SRO Velachery and the application in **A. No.4864 of 2025** has been filed to appoint an Advocate Commissioner to conduct the election of the 1st defendant's Society "Advent Christian



Conference of India” office bearers and file a report before this Court.

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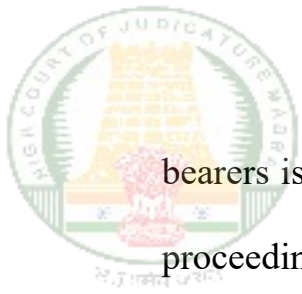
2. According to the applicant, he is the Plaintiff in the main Suit filed for the relief of declaration to declare that the office bearers of the “Advent Christian Conference of India” term is expired by efflux of time and consequently to appoint an Advocate Commissioner to conduct the election of the Society “Advent Christian Conference of India” for office bearers and to file a report before this Court and to declare the unregistered bylaw of the Society “Advent Christian Conference of India” for increasing the term to four years for the office bearers as null and void and sham and nominal and to grant permanent injunction restraining the defendants, their men, agents, representatives and any other persons claiming under them from encumbering, alienating, dealing, changing nature, letting out of the immovable property to the third parties or creating charge over the Suit property of the “Advent Christian Conference” and other relieves.

2.1. The 1st respondent / 1st defendant “Advent Christian Conference of India” is a registered Society, registered under the Tamil Nadu Societies Registration Act and it runs churches, schools and other religious and charitable programs and presently, the Advent Christian Conference of India runs schools all of which are aided by the Government. There are 2000 students studying the



said schools and there are about 100 teaching and non-teaching Staff. The 1st defendant Society is governed by Bylaws that were framed in the year 1973. As per the bylaws, for a team of office bearers for the posts of the President, the Vice President, Secretary, Treasurer, Assistant Treasurer and Executive Committee members, who are both elected and opted. The term of all office bearers is 2 years. The said bylaws of the 1st respondent Society were registered. While so, in the year 2016, an attempt was made to amend the bylaws by increasing the term of office bearers to 4 years. Any such amendment, even if legitimately made by the General Body is void and inoperative and the same is in violation of Section 15(4) of the Tamil Nadu Societies Registration Act. Therefore, the said amendment is void.

2.2. In the year 2020, a few individuals who were elected in March 2018, claimed that as per the amended bylaws the tenure of office bearers is 4 years, thereby they filed C.S. Nos.287 of 2020, 288 of 2020 and 360 of 2020 before this Court. In the said Suits, the 1st respondent Society who was the President incharge of the Society, then filed a counter stating that as per the bylaws the term of office bearers is 2 years and the tenure of 4 years can never be valid in the light of Section 15(4) of the Tamil Nadu Societies Registration Act. Therefore, the Hon'ble Mr. Justice N. Paul Vasanthakumar, Former Chief Justice of High Court of Jammu & Kashmir mediated the case and held that “As per the existing bylaws approved in the year 2005, the term of the elected office



bearers is for two years which position of law is agreed by all the parties to the proceedings". Thereafter, the said Civil Suits were dismissed as withdrawn by the respective parties. Therefore, the tenure of 4 years was not approved by this Court. Therefore, the term of office bearers expired in the month of March 2024 and fresh elections ought to have been conducted in a transparent manner in accordance with bylaws of the Society. The term of office bearers nominated in March 2022 came to an end in March 2024.

2.3. While so, by a notice dated 15.02.2024, the Secretary of the Society viz., the 2nd defendant called for a general body meeting on 02.03.2024 for election for the posts of President, Secretary, Vice President, Treasurer, Assistant Treasurer and Executive Members etc., But the said notice dated 15.02.2024 fixed the date of General Body Meeting on 02.03.2024, which is less than the prescribed mandatory period of 21 days. Moreover, the notice dated 15.02.2024 was dispatched belatedly and reached the members just 4 to 5 days prior to the meeting. Therefore, the said notice is invalid and not in accordance with law.

2.4. On 02.03.2024, the 2nd defendant Secretary who is a candidate himself announced that elections would be held notwithstanding the lack of consensus. Hurriedly, a few names were called out and an impromptu election



was held and it was announced that K. Paul Dinakaran / 5th defendant was elected as General Secretary and Mr. A. Lara Lawerencew, Mr. B. Franklin Ebenezer and Mr. A. Easudass were elected as Executive Members and the elections for the posts such as President, Vice President, Treasurer, Assistant Treasurer etc., were not held. The applicants came to know that one Mr. K. Devarajan had filed a Suit in O.S. No.1198 of 2024 on the file of the I Assistant City Civil Court, Chennai against Rev. Dr. M.G. Baktha Singh, President and Mr. K. Paul Dinakaran, General Secretary. In the said Suit, an I.A. No.2 of 2024 was filed seeking an interim injunction restraining the defendants from conducting General election of the Advent Christian Conference of India on 02.03.2024 and the Court passed an order of interim injunction restraining them from conducting the elections.

2.5. As per Clause No.17 of the bylaws of the 1st defendant Society, fund shall be deposited in a nationalized bank. But the respondents after they took charge in the year 2024, opened a new account in the private sector bank account / 13th respondent herein, viz., City Union Bank, Perumbakkam using the said account transferred the funds of the 1st defendant Society. On 29.08.2025, the respondents / defendants had taken the law in their own hands and they indulged in mismanagement and maladministration of the Society's property and the defendants are seriously taking various steps to sell the Suit property.



Therefore, the applicants have filed the Suit. The respondents are powerful people and they are associated with the political parties. If the respondents succeed in their attempt to sell the suit properties or create any encumbrance over the suit properties, the applicants will be put to irreparable loss, serious hardships and mental agony. On the other hand, no prejudice would be caused to be respondents. The applicants are having strong prima facie case and balance of convenience is also in favour of the applicants. Therefore, they prayed to grant interim injunction.

3. The respondents have filed a common counter stating that the averments made in the applications are denied as false. The main Suit itself is not maintainable in law. The applicant is neither the Member of the General Body of the 1st respondent Society nor the Member of the Member Church, no locus standi to seek reliefs claimed by him. The membership card produced by the applicant is a forged and fraudulent and the document was issued by his uncle Rev. Stephenson who was not even the member of the Velachery Branch, the 1st respondent's Member Church at the time of issuing of the membership card. The said Rev. Stephenson was initially transferred on 13.12.2023, from the Advent Christian Church, Velachery to Member Church at Mambalam to maintain the unity, peace and harmony among the members of the Velachery Church. Since, the applicant's uncle Rev Stephenson disobeyed the order of



transfer, he was suspended on 29.03.2025 by the Faith and Order Committee of the 1st respondent. Thereafter, he was terminated permanently on 27.09.2025.

He is also running another Church against the rules. It is Rev. E. John Jayaraj, who was appointed as Area Pastor of the Velachery Church on 13.01.2024 and he is functioning as area Pastor, who was issuing Membership cards for the members of the Advent Christian Church, Velachery. Hence the applicant is not entitled to claim the said relief.

3.1. The prayer to grant an interim injunction restraining the 13th respondent, their men, agents, representatives and any other persons allowing the respondents / defendants or their men, agents, servants or any other person from operating or using or fund transferring the 1st defendant's bank A/c No.510909010259259, Perumbakkam Branch, Chennai-600 100 to the third parties or the respondents / defendants till disposal of the above suit is concerned, it is not maintainable as the said account number belongs to Trust Association of Advent Christian Conference India Pvt. Ltd., a company registered under the Companies Act which holds funds in the said account for the benefit of the respondents 1 to 3.

3.2. As far as the prayer that to grant an interim injunction restraining the respondents, their men, agents, representatives and any other persons



claiming under them from encumbering, alienating, dealing, changing nature, letting out of the immovable property to the third parties or creating charge over the Suit property till disposal of the above Suit and communicate the same to the SRO Velachery is concerned, the property belongs to Trust Association of Advent Christian Conference India Pvt. Ltd., which holds the said property for the benefit of the respondents 1 to 3. The 1st respondent owns schedule property as the same was transferred by the Women's home and Foreign Mission Society in favour of the 1st respondent on 15.12.1977 through a Doc. No.2372 of 1978 and also transferred vide Transfer Deed dated 26.04.1967. The properties were transferred under the Transfer Deeds for the benefit of the 1st respondent and there is no condition in the Transfer Deed which prevents the sale of the property.

3.3. As per Clause 2(c) of the Memorandum of Association of the Trust Association of the Advent Christian Conference Pvt. Ltd., gives the power to the 1st respondent to sell properties with the approval of the Executive Committee of the 1st respondent. Therefore, the relief sought by the applicant is not maintainable. The reliefs of interim injunctions not to operate bank account and not to encumber, alienate etc., cannot be granted as they are similar to the final relief sought in the main Suit. The Suit is bad for non-joinder of other Executive Committee members and Trusts Association of Advent Christian Conference of India Pvt. Ltd., without whom the relief cannot be granted.



3.4. The relief sought for by the applicant to appoint an administrator to conduct the election of the 1st defendant's Society, Advent Christian Conference of India, is subject matter of W.P. No.14963 of 2025 on the file of this Court. In the said writ petition, the petitioner filed a Writ petition against the District Registrar of Societies, South Chennai as well as against the respondents 1,2, 4 to 11 herein seeking to declare that the continuance of the respondents 4 to 11 as office bearers of Advent Christian Conference of India as illegal and without authority of law and consequently to direct fresh elections to be held for the post of President, Vice President, Treasurer, Secretary, Assistant Treasurer and Executive Committee in accordance with the registered bylaws under the supervision of retired High Court / District Court Judges. The said Writ petition was disposed on 28.04.2025 by a common order along with another W.P. No.14958 of 2025 with direction to the District Registrar of Societies, South Chennai. Pursuant to the said order, the District Registrar of Societies, South Chennai has conducted an enquiry and passed an order vide order dated 28.08.2025, wherein the District Registrar has dealt with the election dispute. As per the procedure followed by the 1st respondent, President and Treasurer are nominated and not elected by voting, in case two persons nominated for the posts of President and Treasurer, they will be elected by the Executive Committee members, if there are no contestants, the President and Treasurer will be selected unanimously. The executive committee members are



duly elected in the election held on 02.03.2024 in the 1st respondent's Society in the presence of General body members and FOC members. The 4th and 6th respondents are nominated by FOC for the post of President and Treasurer as per procedure followed by the 1st respondent and selected by the Executive Committee and announced in the General body of the 1st respondent.

3.5. The tenure of the present office bearers is only ending on 01.03.2026. The averment that the tenure was increased to 4 years is false and the tenure of the office bearers of the 1st respondent had already expired is false. The Trust Association of Advent Christian Conference of India Pvt. Ltd., is having account in Indian Bank, Velachery which is a nationalized bank. After filing of Writ Petition without any order from this Court in the said Writ petition, the petitioner gave a representation to the bank to stop all financial transactions of the Trust Association of Advent Christian Conference of India Pvt. Ltd., which is holding funds for the benefit of the 1st respondent. There is no prima facie case made out and balance of convenience is in favour of the respondent and the intention of the applicant is only to harass the respondents and therefore, all the applications are liable to be dismissed.

4. Heard both sides and perused the entire materials available on record.



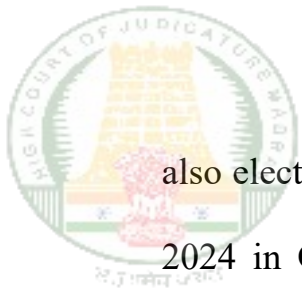
5. The applicant, being the Plaintiff has filed a Suit for the reliefs of declaration to declare that the office bearers of the “Advent Christian Conference of India” term is expired by efflux of time and consequently to appoint an Advocate Commissioner to conduct the election of the Society “Advent Christian Conference of India” for office bearers and to file a report before this Court and to declare the unregistered bylaw of the Society “Advent Christian Conference of India” for increasing the term to four years for the office bearers as null and void and sham and nominal and to grant permanent injunction restraining the defendants, their men, agents, representatives and any other persons claiming under them from encumbering, alienating, dealing, changing nature, letting out of the immovable property to the third parties or creating charge over the Suit property of the “Advent Christian Conference” and other relieves.

6. Now filed these applications for interim injunction restraining the 13th respondent, their men, agents, representatives and any other persons allowing the respondents / defendants or their men, agents, servants or any other person from operating or using or fund transferring the 1st defendant’s bank A/c No.510909010259259, Perumbakkam Branch, Chennai-600 100 to the third parties or the respondents / defendants till disposal of the above suit, to grant an interim injunction restraining the respondents, their men, agents, representatives



and any other persons claiming under them from encumbering, alienating, dealing, changing nature, letting out of the immovable property to the third parties or creating charge over the Suit property till disposal of the above Suit and communicate the same to the SRO Velachery and to appoint an Advocate Commissioner to conduct the election of the 1st defendant's Society "Advent Christian Conference of India" office bearers and file a report before this Court.

7. The main contention of the applicant is that the election for the office bearers of 1st respondent Society was conducted in the year 2018. As per the bylaws, the tenure of the office bearers is only two years, but they are claiming that as per the amended bylaws, the tenure of the office bearers is 4 years, thereby they are continuing as office bearers of the 1st respondent Society. The tenure of the office bearers nominated in March 2022, came to an end in March 2024. Thereafter, a notice dated 15.02.2024 for the General Body meeting dated 02.03.2024 was issued, without following the rules. As per the rules, a notice with a minimum period of 21 days is mandatory and the date of dispatch is also a belated one as the Members received the notice only 4 to 5 days prior to the meeting. Thereafter, the 2nd defendant himself announced that the election would be held notwithstanding the lack of consensus and improper election was held and it was announced that the 5th defendant Mr. K. Paul Dinakaran was elected as General Secretary and other Executive Members are



also elected. Already the I Assistant City Civil Court vide order in I.A. No.2 of 2024 in O.A. No.1198 of 2024 granted an interim injunction not to conduct General election of the 1st respondent Society, but in spite of the said injunction order, they conducted election. Therefore, the election is not valid in the eye of law. Based on that election claiming that the respondents are the office bearers acting against the interest of the 1st respondent Society and the account of the 1st respondent opened in a Private bank. As per the bylaws, the account has to be opened in a nationalized bank. Now the respondents are attempting to make alienation over the Trust properties and therefore, election has to be conducted by appointing an Election Commissioner and also the respondents cannot be permitted to deal with the transactions with the private bank and they are to be restrained from alienating the properties of the 1st respondent society.

8. According to the respondents, the applicant has no locus standi to file a Suit and he is not the Member of any Church. As per the bylaws, an election was conducted and tenure of office bearers will end in March 2026. The petitioner has also participated in the General Body meeting and the General Body meeting was held on 02.03.2024, but the Plaintiff has filed a Suit belatedly in the month of September only to harass the respondents. The bank account is in the name of the Trust, and not in the name of the 1st respondent. Therefore, there is no prima facie case made out and the balance of convenience



is also lying in favour of the respondents. If the injunction is granted, the respondents will be put to irreparable loss and hardship.

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9. This Court also perused the records. According to the applicant, the main elections were conducted in the year 2018 and thereafter, the tenure of the office bearers is only 2 years as per the bylaws. Then the bylaws were amended by increasing the tenure of office bearers as 4 years, thereby, sought for to declare that the office bearers of the “Advent Christian Conference of India” term is expired by efflux of time and consequently to appoint an Advocate Commissioner to conduct the election of the Society. The tenure of the office bearers is only 2 years and not 4 years. After expiry of the tenure, in the year 2022, an election was conducted on 02.03.2024. According to the respondents, the applicant has no locus standi to conduct election and he is not even a Member of any Church and the Membership card provided by the applicant is a forged one. It is a matter of trial to decide about the membership of the applicant and locus standi. However, since the defendants admitted that the tenure of the office bearers is only 2 years and thereafter, an election was conducted on 02.03.2024. Without challenging the said election conducted on 02.03.2024, the prayer of the applicant cannot be considered. The Suit has been projected as if the defendants continued as office bearers, based on the amended bylaws, that the term of the office bearers is 4 years. According to the



respondents, subsequently on 02.03.2024, the elections were conducted, when the election was not challenged, through a Suit. Without any prayer in respect of election, the prayer of interim injunction cannot be granted. According to the applicant, there is an injunction granted by the Court not to conduct elections through an order in I.A. No.2 of 2024 in O.S. No.1198 of 2024 dated 01.03.2024 passed by the I Assistant City Civil Court. Thereby, the election is not conducted in accordance with law. The applicant has not challenged the said election and without any prayer for that election and when the term of the office bearers is based on the so-called election is going to expire on a short span of time, it is not appropriate to grant any relief to the applicant.

10. The learned counsel appearing for the respondent also admitted the injunction granted by the Court for conducting election. However, according to the defendants, the order was passed on 01.03.2024 and they are not aware of the order passed by the Court and on the very next day, election was fixed through a notice dated 15.02.2024 and thereafter, the Court passed an order on 01.03.2024. By that time, the election process was over. Immediately on very next day i.e., 02.03.2024, the election was conducted. Therefore, there is no any intention to breach the order of the Court. The above said contention of the respondents / defendants has to be decided through trial and at this stage, without any prayer in respect of the election held on 02.03.2024, the applicant is not entitled to any relief.



11. As far as the injunction in respect of the prayer of injunction restraining the respondents, their men, agents, representatives and any other persons claiming under them from encumbering, alienating, dealing, changing nature, letting out of the immovable property to the third parties or creating charge over the Suit property till disposal of the above Suit and communicate the same to the SRO Velachery is concerned, there are no any attempts to alienate the properties and there are no records to show that the respondents are taking steps to alienate the properties to third parties and even if any encumbrances are created, those are subject to outcome of the result of the Suit.

12. As far as the relief in respect of the bank account is concerned, as per the bylaws, the account has to be opened by the 1st respondent / defendant in any one of the nationalized banks, but now the respondents have opened the bank account in a private bank. According to the respondents, the account is not in the name of the 1st respondent and the account is in the name of the Trust Association of Advent Christian Conference of India Pvt. Ltd., Therefore, those aspects have to be tested through trial. The applicant has not filed any documents to show that the account mentioned in the affidavit is in the name of the 1st defendant. As far as the appointment of Election Administrator is concerned, it is an admitted fact that the same defendants have already filed a



Writ petition and the same was also disposed of. Therefore, there is no prima facie case made out and the balance of convenience is also not lying in favour of the applicant. If the injunction is not granted, no any irreparable loss and hardship would be caused to the applicant. Therefore, these applications have no merits and deserve to be dismissed.

13. Accordingly, all these applications are *dismissed*.

19-12-2025

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

P.DHANABAL J.
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