



C.M.A.No.3534 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2025

CORAM:

THE HONOURABLE Mrs. JUSTICE R. KALAIMATHI

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and

C.M.P.No.29339 of 2025

Rev.Charles Williams,
Son of William Duraisamy,
Who is working as a Presbyterian,
At Annur Rural Pastorate,
Annur, Coimbatore,
Within the jurisdiction of
CSI Coimbatore Diocese ... Appellant / Petitioner / Plaintiff

vs.

1.The Moderator,
The Church of South India, Synod, CSI Centre,
No.5, Whites Road,
Post Box No.688,
Royapettah, Chennai-600 014.

2.The Church of South India,
Synod, represented by its

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General Secretary, CSI Centre, No.5,
Whites Road,
Post Box No.688,
Royapettah, Chennai- 600 014.

3.The CSI Diocese of Coimbatore,
Represented by the Bishop,
CSI Dioceses Office No.256,
Coimbatore- 641 018.

4.The Sub Lay Committee,
Represented by its Chairman,
CSI Diocese Office, No.256,
Race Course,
Coimbatore - 641 018. ... Respondents / Respondents
/ Defendants

PRAYER: Civil Miscellaneous Appeal is filed under Order 43 Rule 1(r) of
the Civil Procedure Code, 1908 against the fair and decretal order in
I.A.No.2 of 2025 in O.S.No.1342 of 2025 dated 18.11.2025, on the file of
the I Additional District Judge, Coimbatore.

For Appellant : Mr.Sunny Sheen Akkara
for Mrs.V.Srimathi



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For Respondents : Mr.V.Prakash, Senior Counsel

for M/s.Adrian D.Rozario [R1 to R4]

JUDGMENT

This Civil Miscellaneous Appeal has been preferred against the fair and Decretal Order made in I.A.No.2 of 2025 in O.S.No.1342 of 2025 on the file of the I Additional District Judge, Coimbatore dated 18.11.2025 by the plaintiff herein.

2. Parties are indicated herein as per their litigative status and ranking before the trial Court.

3. Details of the affidavit is stated in brief:

Petitioner is the plaintiff in the suit. Suit is laid for the relief as given hereunder:

(i) To declare the appointment of Lay sub Committee issued by the

3rd defendant for conducting the Bishopric elections to the 3rd



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defendant herein dated 05.09.2025 as illegal and it is null and void

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and it cannot be legally valid and binding upon the plaintiff.

(ii) By passing Order of permanent injunction restraining the defendants 3 and 4 from conducting any elections to the panel of Bishopric of CSI, Coimbatore Diocese on 22.11.2025.

3.1. The Church of South India [hereinafter mentioned as CSI] is an autonomous Church constituted by the Union of Churches of South India in the year 1947. The Administration and the governance of the CSI is governed by the constitution of CSI. Each Diocese has its own constitution and the said constitution shall be in conformity with the constitution of CSI, (i.e.,) 2nd defendant. Petitioner is a Presbyter in the 3rd defendant Diocese.

3.2. Election is held for each and every position within the Diocese and election process is held for the purpose of selecting candidates to become members of the Diocese Council, the Executive Committee, Bishops, etc. Violation of the constitutional process of the CSI Synod, and



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principles of natural justice undermines the sanctity of electoral

procedures. On 05.09.2025, the 3rd defendant issued a letter to all the

Presbyters of the Coimbatore Diocese. As per the said letter, it is learnt

that the 1st defendant has forwarded a letter on 21.08.2025 with regard to

mandate issued by the 1st defendant for the purpose of conducting

Bishopric elections. For the election of the Bishop, democratic process of

election has to be followed. As per the said letter, Executive Committee

meeting was allegedly held on 26.08.2025 and members were appointed

to the Sub Lay Committee (4th defendant) as per CSI Constitution. Copy of

the mandate of the 1st defendant dated 21.08.2025 was not issued to the

members of the diocese.

3.3. As per Clause 2 of Chapter VI, the 1st defendant must send a mandate to the Secretary to summon a meeting of the Diocesan Council to arrange for election of panel of names of the Bishopric atleast six months prior to the retirement of the sitting Bishop. Chapter VI Rule 5 says that *“the moderate shall send his mandate only after ascertaining existing Diocesan Council has atleast six months from the date of receipt of the*

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mandate before its term expires. In case the existing council has only less than six months before the expiry of its term, he shall send his mandate only after the succeeding Diocesan Council has been constituted and such succeeding Diocesan Council can elect the panel.”

3.4. As per Clause 5 of Chapter VI it stipulates that the Secretary must summon a meeting of the Executive Committee of the Diocesan Council who is donned with the responsibility of selecting committee of members. 4th respondent shall act as a Chairperson of the special meeting of the Diocesan Council which shall be convened for the purpose of conducting the election of the Bishop.

3.5. The 1st defendant has failed while carrying his duty under Chapter VI of CSI constitution. The 1st defendant has failed to take cognizance of the fact that the Diocesan Council presently occupied the Chair has less than six months left within the term and the failure of which is catastrophic and its consequences cannot be condoned.

3.6. As per Clause 12 A in Chapter VIII of CSI constitution, every



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Diocesan Council is given a term of three years to conduct their duties. If there is any delay in convening the Council, such delay cannot prolong the life of the Council for more than three years.

3.7. The present Diocesan Council's term expires in the month of November 2025. The mandate was only issued in the month of August 2025 and the Diocesan Council was only left with three months for their term. The petitioner/plaintiff is aggrieved by the mandate issued by the 1st defendant which is contrary to the constitution of CSI and thus illegal and improper.

3.8. On 12.09.2025, the 4th defendant had issued a letter to all the members of the Diocese, informing them that after the special meeting of the CSI, Coimbatore, Diocesan Council's Executive Committee on 26.08.2025 for appointing Lay Sub Committee of South India has appointed five members. It was decided for electing the names for the panel for the Bishop election would take place on 22.11.2025. The notice dated 12.09.2025 in this regard cannot be sustained.



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3.9. The defendants have failed to follow the rules and regulations

along with by-laws of Constitution of CSI. This application is filed to restrain the 4th defendant from electing a panel of Bishops as required under the mandate issued by the 1st respondent to respondents No.3 and 4 are to be restrained from conducting the election to the panel of Bishopric of CSI of Coimbatore Diocese on 22.11.2025 or any other date until disposal of the suit.

3.10. On behalf of the respondents 1 and 2, though it was undertaken to file vakalat, for non filing of the same, the respondents 1 and 2 have been set ex-parte before the trial Court.

4. Per contra, the respondents 3 and 4 would inter-alia contend that the Bishop is the head of the Diocese. There is no constitutional violation or non following of electoral process with regard to current Bishopric election process. The details given in paragraph Nos.6 and 7 of the affidavit are denied as false. The 4th respondent Lay Sub Committee has



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been validly constituted pursuant to the CSI Coimbatore Diocese

Executive Committee resolution dated 26.08.2025 as per the provisions of the CSI constitution found in Chapter VI.

4.1. It is incorrect to state that current Council ought to have been convened in the month of October 2022. As per past practice in the CSI Diocesan Council, the Council election is normally held in the month of November only. Due to unforeseen events, the Council belatedly convened in July 2023. The Council's full term starts from July 2023 and ends in July 2026 only.

4.2. The mandate, Executive Committee's resolution and election notification issued by the Lay Sub Committee are in order and do not suffer from any illegality or infirmities. The petitioner is a Presbyter in a Church, who is the employee of the CSI Coimbatore Diocese. The 3rd respondent is the Employer. The petitioner being a permanent employee has not approached the Court for any grievance for his individual grievances. He is a voter in the electoral college of the current Bishopric



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election. He is not a contestant in the ensuing Bishopric election.

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5. Heard Mr.Sunny Sheen Akkara, learned counsel for the petitioner/plaintiff and the learned Senior Counsel Mr.E.Prakash for all the respondents/defendants.

6. The plaintiff has filed this application under Order 39 Rules 1 and 2r/w. Section 151 of CPC to pass an order of interim injunction restraining the defendants 3 and 4 from conducting any election to the panel of Bishopric of CSI Coimbatore Diocese on 22.11.2025 or any other date until the disposal of the suit.

7. Case of the petitioner is that he is the Presbyter in the 3rd defendant Diocese. 3rd defendant had issued a letter dated 05.09.2025 to all the Presbyters of the Coimbatore Diocese. As per the said letter an Executive Committee meeting was held on 26.08.2025 and members

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were appointed to the Sub Lay Committee (4th defendant) as per CSI constitution.

8. The 4th defendant has been given the responsibility to conduct a special session to Diocese Council for the purpose of electing a panel for Bishopric election.

9. Prior to the appointment of the Bishop through the process of election, the Executive Committee is tasked with the responsibilities of making a panel of eligible candidate from whom the members of the Diocese would be allowed to elect the Bishop that would eventually represent the Diocese.

10. The main objection of the petitioner is that as per Clause 2 of Chapter VI of CSI constitution, the 1st defendant must send mandate to the Secretary to summon a meeting of Diocesan Council to arrange for the

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election of panel of names of the Bishopric atleast six months prior to the retirement of the sitting Bishop.

11. Chapter VI Rule 5 enumerates that *“The moderate shall send his mandate only after ascertaining that the existing Diocesan Council has at least six months from the date of receipt of the mandate before its term expires. In case the existing council has only less than six months before the expiry of its term, he shall send his mandate only after the succeeding Diocesan Council has been constituted, and such succeeding Diocese Council shall elect the panel (1999)”*.

12. Then upon receiving the mandate, the Secretary must summon a meeting of the Executive Committee of the Diocesan Council and the fourth defendant shall act as the Chairpersons of the Special meeting of the diocesan council which shall be convened for the purposes of conducting the election of the Bishop.

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13. From a careful reading of the above said Clauses, it indicates that the 1st respondent can send his mandate after ascertaining whether the existing Diocesan Council has atleast six months left in their term or triennium. If the Diocesan Council has less than six months left in their term, the 1st defendant shall only send his mandate after the new Diocesan Council has been constituted and such Diocesan Council shall be responsible for electing the panel for Bishopric elections. Therefore, the petitioner's main objection is that the above said Clause was not followed in letter and spirit.

14. According to the petitioner, the present Diocesan Council has less than six months left within the term.

Rule -12 A of Chapter VIII is relevant and it is extracted hereunder:

“A) The term of the Diocesan Council shall be three years. The Diocesan Constitution shall also state the month in which the term of the Council would



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normally begin, so that elections to the Diocesan Councils from the pastorates and other constituencies can be arranged accordingly. If for any reason the convening of the Council after fresh elections is delayed, such delay shall not prolong the life of the Council beyond the time stipulated in the constitution, subject to Clause (c) under this rule. The new Council shall function only for the remainder of the term. (2015)

C) The Council shall meet once in every THREE years for its ordinary meeting. Council shall meet at least once in between the ordinary meetings to discuss the life and work of the Diocese. (2015)

D) At least six months before the expiry of the term of the Council, the Executive Committee shall set in motion the arrangements for electing a new Council. In case the new Council cannot be convened within 3 months from the expiry of the term of the old Council, the Synod shall take steps for the proper administration of the Diocese. (2015)”

15. Though a mention is made that if for any reason, convening of the Council after fresh election is held such delay shall not prolong the life of the Council beyond the time stipulated in Clause-C under this rule. A deep perusal of above said Clause would ultimately explicate that the term



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of the Diocesan Council shall be three years. The petitioner's contention is that the term of Diocesan Council expires in October 2025 and therefore, issuance of impugned letter is not in accordance with constitution of the CSI.

16. As per the letter of the Bishop of Coimbatore dated 27.07.2023, the Diocesan Council members were elected in the last week of July 2023.

The impugned letter is extracted hereunder:

"Dear Reverends,

Sub: CSI Coimbatore Diocese Mandate for the Bishopric Election – Reg.

Ref: Letter from the Moderator, CSI dt. 21.08.2025

Greetings to you in the name of our Lord Jesus Christ

As per the Constitution of Church of South India, the Moderator has sent the Mandate to the Diocesan Secretary to convene the Executive Committee of the Diocese and to arrange for the election of a panel for the office of the Bishopric of CSI Coimbatore Diocese.

Accordingly, the Executive Committee which met on 26.08.2025 appointed the following members as Lay-Sub Committee as per rules 5 of Chapter VI of the Constitution of



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Church of South India.

- 1. Mr.D.S. Amirtham - Chairperson*
- 2. Mr.N.Arivalagan - Member*
- 3. Mr.Samuel David Mangaladoss - Member*
- 4. Adv.V.Stanly Rajasingh - Member*
- 5. Adv.T.E.Udayakumar - Member*

Hereafter this Lay Sub-Committee will be fully and completely responsible to conduct the Special session of the Diocesan Council for electing a Panel for the Bishopric and shall have full powers to act on behalf of the Executive Committee in respect of matters connected with the election. Any correspondence regarding the election shall be addressed to

Mr.D.S. Amirtham

Chairperson

Election-Bishopric-2025, CSI Coimbatore Diocese

*CSI Diocesan Office, 256, Race Course,
Coimbatore - 641018*

Kindly make announcement in the Divine Worship services and pray for the guidance of the Holy Spirit to give us a suitable person as the 7th Bishop of our Diocese

With many Good wishes and Prayers

Sd:- Rt.Rev.Timothy Ravinder

Bishop

CC: 1. The Moderator & Officers of CSI Synod



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2. The Office Bearers, CSI Coimbatore Diocese

3. The Chairperson, Lay-Sub Committee”

17. The mandate has been issued by the Secretary of CSI Coimbatore Diocese on 21.08.2025. Though the petitioner has mentioned about the same, the said mandate being a prime document was not filed.

18. As per the letter dated 27.07.2023 of the Bishop of Coimbatore, it is made clear that the Office Bearers of the Diocese was elected during third week of July 2023 as mentioned supra. As per Clause-12 A Chapter VIII of CSI constitution, the term of the said Council is three years namely from July 2023 to July 2026. It is pertinent to note that in Clause 12 D of Chapter VIII, the word atleast six months would indicate the fact that the relevant body has to initiate its work with regard to the election and its directory nature.

19. Petitioner is a Presbyter in the Church. Admittedly he is an



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employee of 3rd respondent. It is learnt that all the arrangements have been made for the ensuing Bishopric election which is scheduled on tomorrow (22.11.2025). It is learnt that there are 258 voting members. The petitioner is also one of the Voter.

20. On 21.08.2025, the mandate was issued by the Secretary of CSI, Coimbatore Diocese, under Rules 2 and 5 of Chapter VI of constitution of CSI for the election of panel of names for the appointment of Bishop. Pursuant to the same, on 05.09.2025, the 3rd defendant has issued a letter and Executive Committee meeting was held on 26.08.2025 and the members were appointed to the Sub Lay Committee. Thereafter, on 12.09.2025, a notice for the special meeting of the Diocesan Council was sent to all the members stating that election for the panel of names for the Bishopric of CSI Coimbatore Diocese is slated to be held on 22.11.2025. The last date for filing nomination was fixed as 06.09.2025. Thereafter it appears that after permitting withdrawals and in consideration



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of the objections, the list is published in the notice Board. Viewed in all angle especially, as per the rules of CSI constitution, it is done in order.

21. The prime document in this regard is the mandate issued on 21.08.2025. If really the grievance is genuine, the petitioner should have rushed to the Court within few days from 21.08.2025. When the election is scheduled on 22.11.2025 (tomorrow) suit was only filed on 13.11.2025 and the impugned application was filed along with the suit and after receiving the objections from the respondents, the trial Court has passed the Order on 18.11.2025. Therefore, this Court is of the considered view that the petitioner lacks bonafides.

22. The important conditions governing the grant of interim injunction are the petitioner shall establish *prima facie* case, balance of convenience and irreparable injury. Injunction is a relief founded in equity. Based on the aforestated discussions, this Court is of the considered view



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that the petitioner is a Presbyter who is a Voter has not established the

prima facie case. No doubt, as mentioned supra, the balance of convenience is in favour of the defendants and if the election which is scheduled to be conducted on tomorrow (22.11.2025) is ordered to be cancelled, it would cause irreparable injury to the respondents. By discussing all the details thoroughly, the trial Court has dismissed the interim application in a right perspective. This Court does not find any infirmity or perversity in the findings of the trial Court. This Court also does not find any good reason to upset the findings of the learned trial Court.

23. In view of the aforestated narrative, this Civil Miscellaneous Appeal stands dismissed. The Fair and Decretal Order dated 18.11.2025 passed in I.A.No.2 of 2025 in O.S.No.1342 of 2025 by the trial Court stands confirmed. It is made clear that the election as scheduled on 22.11.2025 to be proceed with. There is no order as to costs. Consequently, connected miscellaneous petition is closed.



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Index : Yes/No

Speaking / Non-speaking order

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Note: Issue Order Copy on 28.11.2025.

To:

1. The I Additional District Judge,
Coimbatore.

2. The Section Officer,
V.R.Section,
High Court of Madras,
Chennai.



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R.KALAIMATHI, J.,

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