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A No. 627  
in C.S.Sr.No.205359 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 17-12-2025**

CORAM

**THE HONOURABLE MR.JUSTICE P. DHANABAL**

**A No. 6270 of 2025**

**In**

**CS SR NO. 205359 OF 2025**

1. Jeyaratchakar C and another  
S/o.Chelladurai S, Diocese Council  
Member, Mannarayanthattu Pastorate, CSI  
Thoothukudi Nazareth Diocese, NO.15G,  
Toovipuram 1st Street, Thoothukudi 628  
003. and another

2. Rev.Jebakumar Jolly Jeremiah  
S/o.Jeremiah, Council Chairman, Bishop  
Robert Caldwell Church Council and  
Patorate Chairmen, Caldwell Colony, CSI  
Thoothukudi Nazareth Diocese, No.24A,  
Mission Kovil Street, Madathuvilai  
Arumagneri, Thoothukudi District 628  
202.

Applicant(s)

Vs

1. Church of South India and 2 others  
Represented by its General Secretary CSI  
Synod Secretariat CSI Centre No.5,  
Whites Road, Royapettah, Chennai 600  
014

2.Moderator Commissary/Bishop  
Incharge,  
The CSI Thoothukudi, Nazareth Diocese,  
100, Beach Road, Caldwell School



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Campus, Thoothukudi 628 001.

3.The Administrator

The CSI Thoothukudi, Nazareth Dioses,  
100, Beach Road, Caldwell School  
Campus, Thoothukudi 628 001.

Respondent(s)

**CS SR No. 205359 of 2025**

1. Jeyaratchakar

Plaintiff(s)

Vs

1. Church of South India

Defendant(s)

**A No. 6270 of 2025**

For Applicant(s):

M/S.Easter Legal  
A.M.Packianathan Easter  
T.Eveden Raisa  
Agathian J Pandian

For Respondent:

### **ORDER**

This application has been filed by the applicants / plaintiffs seeking to grant leave to sue the Moderator Commissary 2<sup>nd</sup> respondent / 2<sup>nd</sup> defendant herein and the Administrator the 3<sup>rd</sup> respondent / 3<sup>rd</sup> defendant since the office is outside the jurisdiction of this Court.



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2. According to the applicants, they filed a suit for the relief of declaration and for permanent injunction and mandatory injunction. The defendants 2 and 3 are residing outside the jurisdiction of this Court and already this Court passed judgement in OSA No.247 of 2024 dated 10.01.2025 stating that since this Court has now appointed a retired Judge of this Court as Administrator, there shall not be any suit or any proceedings before any subordinate court interfering with the smooth functioning of the Hon'ble Administrator as per this order. Therefore, they filed the suit before this Court and leave has to be granted.

3. The learned counsel for the Administrator objected that already this Court passed several orders and permitted the Hon'ble Administrator to continue the election process and only to stall the election process, this suit has been filed. There is no merit in the suit and therefore grant of leave is unnecessary one.

4. This Court heard both sides and perused the materials on record.

5. This application is only to grant leave to sue the defendants who are residing outside the jurisdiction of this Court. The Hon'ble Division Bench of this Court in OSA No.247 of 2024 order dated 10.01.2025 held that there shall not be any suit or the proceedings before any subordinate court interfering with the smooth



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functioning of the Hon'ble Administrator. Therefore, filed this application.

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6. Considering the above said reason stated in the affidavit and as per the order passed by this Court, the applicants approached this Court for grant of leave. The objection raised by the respondent is that there is no merits in the suit. Since this application is filed to grant leave to sue and merits of the case cannot be decided in this application. Considering the prayer sought for in the suit and facts and circumstances of the case, this Court is inclined to allow this application and therefore, leave is granted as prayed for.

Registry is directed to number the suit, if it is otherwise in order.

**17.12.2025**

mtl



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**P.DHANABAL, J.**

mtl

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