



W.P.(MD) No. 21988 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

**W.P.(MD) No. 21988 of 2025
and
W.M.P.(MD) Nos.17082 & 17084 of 2025**

P.Duraisingh

... Petitioner

Vs

1. P.Ashwin Raj
2. P.Dilip Raj
3. P.Ananthi
4. R.Isaac
5. The Pastorate Committee Chairman,
Church of Glory,
East Gate Pastorate,
175 East Veli Street,
Madurai.
6. The Clergy Secretary,
CSI Diocese of Madurai - Ramnad,
A.V.H Building 1st Floor,
162 East Veli Street,



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Post Box No. 164,
Madurai.1.

7. The Lay Secretary,
CSI Diocese of Madurai - Ramnad,
A.V.H Building 1st Floor,
162 East Veli Street,
Madurai -1.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus to call for the records relating to the order passed by the learned Principal District Munsif, Madurai in I.A No. 127 of 2024 in O.S No. 123 of 2024 dated 29.04.2024 as the said order obtained by committing fraud upon the Court and to set aside the same as nullity and to appoint a former judge of this Hon'ble Court as administrator for conducting the election for the Madurai, East Gate Pastorate Committee for the period 2024-2027 in accordance with the Diocesan Constitution and Rule on the basis of electoral roll 2021-2024.

For petitioner : Mr.Baburajendran

For respondents : Mr.T.Lajapathi Raj
Senior Counsel
for M/s.T.Seeni Syed Amma for R5

ORDER

This Writ Petition is disposed of at the time of admission with the consent



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of the learned counsel for the petitioner and learned Senior Counsel for the fifth respondent and after dispensing with the notice to the respondents 1 to 4 and 6 and 7, as no adverse orders are proposed to be passed against them.

2. The petitioner has challenged the impugned fair and decreetal order passed by the learned Principal District Munsif, Madurai in I.A.No.127 of 2024 in O.S.No.123 of 2024, dated 29.04.2024.

3. The petitioner is not a party to the aforesaid proceedings, although it would have been opened for the petitioner to take steps to implead himself in the said proceedings before the said Court. Strangely, the petitioner has filed this Writ Petition against the aforesaid fair and decreetal order, dated 29.04.2024 passed in I.A.No.127 of 2024 in O.S.No.123 of 2024.

4. Though fraud is said to have played on the petitioner and that the impugned fair and decreetal order may have to be set aside, it has to be set aside only in the manner known to law, that is either before the concerned Court by



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filing an application to vacate the interim order or under Section 115 of C.P.C. or under Article 227 of the Constitution of India.

5. Therefore, this Writ Petition is liable to be dismissed with a liberty to re-file the same as Civil Revision Petition under Article 227 of the Constitution of India. Registry is directed to return the originals for the petitioner to pursue the alternative remedy under Article 227 of the Constitution of India.

6. Hence, this Writ Petition is dismissed with a liberty to initiate the appropriate proceedings under Article 227 of the Constitution of India. No costs. Consequently, connected miscellaneous petitions are closed.

Index : Yes / No
Internet : Yes / No
apd

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C.SARAVANAN, J.

apd

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