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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-11-2026

CORAM

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

CRP No. 7190 of 2026
and CMP No. 31019 of 2026

CNR: {HCMA012759882026}

Case QR

Rev.A.Paramanandham
Chief Paster of Assembly of God (A.G) Church,
D.No.10, Ramaiya Colony,
3rd Street Bangala Stop,
Avinashi Road Tiruppur 641 602.

..Petitioner(s)

Vs

1. Rev.Stephen J.Jayaraj
   Superintendent Of A.G Head Office,
   Tamil Nadu District Council Of The South
   India Assemblies Of God,
   No. 30, Navalar Nagar,
   1st Street,
   Madurai 625 016

2. Rev. Dr. T.S. Rajasekar
   Assistant Superintendent Of A.G Head Office,
   Tamil Nadu District Council Of The South
   India Assemblies Of God,
   No. 30,
   Navalar Nagar,
   Street,
   Madurai-6255016

3. Rev. J. Stanley Manickaraj, Secretary of A.G.
   Head Office
   Tamil Nadu District Council Of The South
   India Assemblies Of God,
   No. 30,
   Navalar Nagar,
   Street,
   Madurai,
   625 016

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4. Rev. P. Antony Rajan, Treasurer of A.G. Head Office
   Tamil Nadu District Council Of The South India Assemblies Of God,
   No. 30,
   Navalar Nagar,
   Street,
   Madurai,
   625 016

5. Rev. I. Christodhas, Committee Member
   The Tamil Nadu District Council Of South India Assembly Of God,
   A.g. Head Office,
   No.30,
   Navalar Nagar,
   1st Street,
   Madurai

6. David Periyadurai
   Kaniyur Aradhana Apartment,
   Tiruppur

7. Andavar Selvam
   D.no.2/835,
   Amarjothi Bhuvaneshwari Nagar,
   Mangalam Road,
   Opposite Kumaran Womens College,
   Tiruppur

8. Jebamani
   D.No.136,
   Rakkiyapalayam,
   Ammapalayam,
   Avinashi Road,
   Tiruppur

9. German Raj
   D.no.418,
   Padmavathi Puram,
   Amma Palayam,
   Avinashi Road,
   Tiruppur

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10.Arivukkannan
D.no.16, 3rd Street,
Chairman Kandasamy Nagar,
Paalaiyakadu,
Tiruppur

11.Anbarasan
D.no.362, Palanchipalayam,
Dharapuram Road,
Tiruppur

12.Panneer
D.no.362,
Palanchipalayam,
Dharapuram Road,
Tiruppur

13.David Selvakumar
A.G. Church,
Near Warehouse,
Mettupalayam Taluk,
Coimbatore District

14.K. Anandan Alexander
D.no.13 A,
A.G. Church,
Devamatha Koil,
Vadakku Veethi,
Ambasamuthiram,
Tirunelveli District

..Respondent(s)

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair and final order dated 30.10.2026 made in I.A.No.3 of 2026 in O.S.No.63 of 2022 on the file of the Principal District Munsif (FAC), Tiruppur, allow I.A.No.3 of 2026 by allowing this Civil Revision Petition and pass such other order or orders as this Court deems fit and proper in the interest of justice.

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For Petitioner(s): Mr.S. Bharanidharan

For Respondent(s): Mr.S.Arivazhagan

ORDER

This Civil Revision Petition has been filed under Article 227 of the Constitution of India challenging the order dated 30.10.2026 made in I.A.No.3 of 2026 in O.S.No.63 of 2022 on the file of the learned Principal District Munsif (FAC), Tiruppur, wherein the application filed by the petitioner/plaintiff under Order XXIII Rule 1 of C.P.C., for withdrawal of the suit with leave to file a fresh suit came to be dismissed by the Court below.

2.Heard the learned counsel for the petitioner and the learned counsel appearing on behalf of the respondents and carefully perused the materials available on record and this Court also carefully went through the order passed by the Court below.

3.The petitioner/plaintiff filed the suit in O.S.No.63 of 2022 for permanent injunction. The petitioner also filed another suit in O.S.No.29 of 2025 seeking for the relief of declaration and for permanent injunction. During the pendency of the said suit, due to the dispute between the parties, the Church itself was closed and the key was handed over to the Revenue Divisional Officer. In the light of this development, the petitioner filed an application in

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OS No.29 of 2025 under Order XXIII Rule 1 of C.P.C., to withdraw the suit and file a fresh suit and the said application was allowed. Pursuant to the same, the suit came to be dismissed on 14.10.2026.

4.In the present suit, the petitioner/plaintiff filed a similar application under Order XXIII Rule 1 of C.P.C., seeking leave of the Court to withdraw the suit and file a fresh suit. The Court below dismissed the said application and aggrieved by the same, the present Civil Revision Petition has been filed before this Court.

5.In the considered view of this Court, in the light of the subsequent development that has taken place and the order that has already been passed in the other suit in O.S.No.29 of 2025 granting leave to the petitioner/plaintiff to file a fresh suit, virtually nothing survives in the present suit. In other words, the relief sought for in the present suit has become infructuous. Therefore, there is no question of granting one more leave to the petitioner/plaintiff since, such a leave has already been granted in the other suit.

6.In view of the above discussion, the order dated 30.10.2026 made in I.A.No.3 of 2026 in O.S.No.63 of 2022 on the file of the Learned Principal District Munsif (FAC), Tiruppur, is sustained. The Court below is directed to close the suit filed in O.S.No.63 of 2022 as infructuous and it is left open to the

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petitioner/plaintiff to work out the remedy in the fresh suit that is going to be filed.

7.In the result, this Civil Revision Petition stands dismissed. No Costs. Consequently, the connected miscellaneous petition is closed.

17-11-2026

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

SSR

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To

The Principal District Munsif (FAC), Tiruppur.

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N.ANAND VENKATESH, J.

SSR

CRP No. 7190 of 2026

17-11-2026

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