Order QR

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-10-2026

CORAM

THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

OA No. 1193 of 2025
IN
CS NO. 308 OF 2025

S. M Sam Langlin
S/o.S.Manickadhas,
1/85 B, Vemabathur Village,
Vellamadam and Post,
Kanniyakumari District-629302

..Applicant(s)

Vs

1. The India Evangelical Lutheran Church (IELC)
   and 8others
   Rep by its General Treasure cum Secretary,
   No.47, Eldams Road,
   Teynampet, Chennai-600018
2. Chief Election Officer
   The India Evangelical Lutheran Church
   No.47, Eldams Road, Teynampet,
   Chennai-600018

3. Election Officer
   Ambur Synod of
   The India Evangelical Lutheran Church
   No.47, Eldams Road, Teynampet,
   Chennai-600018

4. Election Officer
   Nagercoil Synod of
   The India Evangelical Lutheran Church
   No.47, Eldams Road, Teynampet,
   Chennai-600018

5. Election Officer
   Trivandrum Synod of
   The India Evangelical Lutheran Church
   No.47, Eldams Road, Teynampet,

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Chennai-600018

6. Mohanan
   President of
   The India Evangelical Lutheran Church
   No.47, Eldams Road, Teynampet,
   Chennai-600018

7. Rev.C.Kumanan
   Vice President of
   The India Evangelical Lutheran Church
   No.47, Eldams Road, Teynampet,
   Chennai-600018

8. K.Baul Sundar
   General Treasurer of
   The India Evangelical Lutheran Church
   No.47, Eldams Road, Teynampet,
   Chennai-600018

9. Mani
   Comptroller of The India Evangelical Lutheran
   Church
   No.47, Eldams Road, Teynampet,
   Chennai-600018

..Respondent(s)

To grant an ad interim injunction restraining the respondents 1, 6 to 9 from in anyway taking policy decisions of selling or leasing or encumbering the properties of the 1st Respondent and appointing teaching or non teaching staff of the 1st respondent in any manner whatosever pending disposal of the above suit.

For Applicant(s): Mr.V.Anand

For Respondent(s): Mr. J. Hudson Samuel

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The present application has been filed seeking an ad-interim injunction restraining respondents 1 and 6 to 9 from taking any policy decisions or steps towards selling, leasing or otherwise encumbering the properties belonging to the first respondent institution, and from making appointments to teaching or non-teaching posts in the first respondent institution.

2. The learned counsel appearing for the respondents submitted that, under Section 16 of the Constitution and By-laws of the first respondent institution, its properties cannot be alienated, leased or encumbered in any manner without obtaining prior permission from this Court. Therefore, the apprehension of the applicant that the respondents may alienate or otherwise deal with the properties of the first respondent institution is unfounded.

3. In view of the aforesaid submission, the apprehension expressed by the applicant with regard to alienation or encumbrance of the properties of the first respondent institution does not, at this stage, warrant the grant of an injunction. When the Constitution and By-laws of the institution itself require prior permission of this Court for such transactions, there is no prima facie necessity to grant a separate order of injunction in that regard. Accordingly, no prima facie case is made out for granting the relief sought in respect of the properties of the first respondent institution.

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4. Insofar as the apprehension regarding appointments to teaching and non-teaching posts is concerned, any appointments made by respondents 1, 6 and 9 during the pendency of the suit shall necessarily be subject to the final outcome of the suit.

5. In view of the above, this application is disposed of. It is made clear that the observations made herein are confined to the adjudication of the present application and shall not influence the consideration of the issues arising for determination in the suit.

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HEMANT CHANDANGOUDAR, J.

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