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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.06.2026

CORAM:

THE HONOURABLE **MR.JUSTICE N.SATHISH KUMAR**

AND

THE HONOURABLE **MR.JUSTICE M.JOTHIRAMAN**

WA.(MD)No.461 of 2026

The Bishop/chairman,
Diocese of Madurai-Ramnad,
CSI, AVH Building, H4,
162, East Veli Street,
Madurai 625 001.

...Appellant

Vs.

1.P.Mathivanan Inbaraj

2.The Commissioner of Police,
Madurai City,
Madurai.

3.The Inspector of Police,
Thiruppalai Police Station,
Narayanapuram,
Madurai 625 014

4.The Tahsildar,
Madurai North,
Madurai.

5.The Revenue Divisional Officer,
Madurai.

... Respondents



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PRAYER:- Writ Appeal filed under Clause 15 of the Letter Patent Act, against the order dated 26.02.2026 in WP. CrI.(MD) No.1169 of 2026.

For Appellant : Mr.M.Ajmal Khan
Senior Counsel
for M/s.Ajmal Associates
For Respondent : Mr.G.Prabhu Rajadurai (R1)
Mr.I.Murugesan (R2 & R3)
Government Advocate (CrI.side)
Mr.M.S.Parthiban (R4 & R5)
Counsel for State

JUDGMENT

(Judgment of the Court was delivered by **N.SATHISH KUMAR, J.**)

The present appeal challenges the order of the learned Single Judge directing the members of the Church namely, St.Peter's Church to submit a panel of three persons to the Bishop and further directing the Bishop to select one person from the said panel and appoint him as Priest.

2.The writ petition had been filed seeking police protection and appropriate action against the alleged interference of the Bishop in the day-to-day administration and affairs of the Church concerned. The protection was sought mainly on the ground that under the Memorandum of Understanding (MOU) dated 04.03.2017, the Bishop could appoint a Priest only from the panel proposed by the Church affiliated with CSI Diocese,



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Madurai. It was further stated that the Church follows the Anglican mode of worship and for the conduct of weekly services, engages Priests retired from various dioceses. According to the petitioner, the Bishop was taking advantage of the said MOU and interfering with the administration and possession of the Church, hence, the writ petition sought protection.

3.The learned Single Judge after considering the submissions made on either side directed the Church Committee to give a list of three persons and among them the Bishop has to be appointed. Aggrieved by the same, the appellant has filed the present appeal.

4.The learned counsel for the appellant submitted that the writ petition was filed seeking police protection. However, the learned Single Judge travels beyond the scope of the writ petition by issuing direction to the Church to give a panel for selection of Bishop.

5.Having considered the materials placed before us, we are of the view that the pleadings clearly disclose that there is a dispute over the management of the Church. Once there is a *inter-se* dispute in the management of the Church, the writ petition seeking police protection is not



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maintainable. It is for the parties to file appropriate suit to establish their right.

6.The contention of the learned Counsel for the respondent submitted that the Bishop was attempting to take over the affairs of the Church by relying upon MOU. Be that as it may, if such an attempt is being made, it is always open to the Church to institute a civil suit seeking appropriate relief, including a decree of permanent injunction. The parties cannot take advantage of the MOU to usurp powers or interfere with the rights claimed by the other side while the dispute remains unresolved.

7.In such view of the matter, the order of the learned Single Judge stands set aside and this writ appeal is allowed. However, it is further clarified that, if any civil suit is instituted by either party, the same shall be decided independently on its own merits and in accordance with law, without being influenced by any observations made in this judgment. No costs.

[N.S.K., J.] & [M.J.R., J.]
17.06.2026

Internet : Yes
Index : Yes/No
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