

HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MAIN CASE No.: C.M.A.(SR).No.18320 of 2026

PROCEEDING SHEET

Sl.No	DATE	ORDER	NOTE
	08.05.2026	<u>NV, J</u> <u>I.A.No.1 of 2026</u> Heard the learned Senior Counsel for the petitioners and the learned Senior Counsel for the respondents. Learned Senior Counsel for the petitioners sought permission of this Court to withdraw this application. Permission as sought for is accorded. Accordingly, I.A.No.1 of 2026 is dismissed as withdrawn. <u>C.M.A.(SR).No.18320 of 2026</u> Heard the learned Senior Counsel for the petitioners and the learned Senior Counsel for the respondents. Learned Senior Counsel for the	

		petitioner submits that, initially the petitioner preferred Miscellaneous Appeal, as the final order in S.R.O.P.No.6 of 2017 is an appealable order under Order 43 Rule 1 of CPC. But the Registry took objection it is not an appealable order under Order 43 Rule 1 of CPC and Revision Petition would lie under Article 227 of the Constitution of India. The other objection of the Registry would be complied with and requested to pass an order for converting the CMA (SR) as CRP under Article 227 of the Constitution of India. The Registry took objections as under: <i>i) Please verify the nature of petition against the final order dated 20.04.2025 in S.R.O.P.NO.6 of 2027 since C.R.P. may lie under Article 227 of the Constitution of India.</i> <i>ii) Please verify the provisions of law since this seems not to be appealable under Order 43 Rule 1 of CPC.</i>	
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		Considering the submissions made by learned Senior Counsel for both the parties, this Court is inclined to pass an order in view of the interim orders passed by this Court in C.R.P.No.4898 of 2018. The operative portion of the order dated 30.04.2022 passed by this Court in C.R.P.No.4898 of 2018 is as under: <i>“In view of the respective submissions, while reiterating the order in the CRP, it is made clear that the 1st respondent shall not make preachings from the pulpit area in the Church hall or within the precincts of the JMB Church on Sundays. However, if he proposes, he can attend the Church on Sundays as a visitor or devotee. As held in the CRP, 1st respondent shall be entitled to function as Pastor of JMB Church, Ongole for all purposes in other days and the petitioners shall not interfere with the functions of 1st respondent on those days till disposal of the SROP No.6/2017. Before parting, on the request of the learned counsels for the parties, 1st Additional District Judge, Ongole, is directed to conduct enquiry in S.R.O.P.No.6/2017 expeditiously and pass an order on merits in accordance with the governing law and Rules within five (5) months from the date of receipt of a copy of</i>	
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		<i>this order and the parties concerned are directed to assist the Court for smooth disposal of the said S.R.O.P. No.6/2017.”</i> The same was continued till the disposal of the S.R.O.P.No.6 of 2017. Considering the submission and on perusal of the objections, the objections of the Registry are valid and sustainable. Accordingly, the Registry is directed to process this petition and proceed further in view of the amendment to the cause title as objected by the Registry and convert as Civil Revision Petition. Accordingly, there shall be an interim direction directing respondent No.1 not to make preachings from the pulpit area in the Church hall or within the precincts of the JMB Church on Sundays. However, if respondent No.1 proposes, he can attend the Church on Sundays as a visitor or devotee. Further, the respondent No.1 shall be entitled to function as	
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		a Pastor of JMB Church, Ongole for all purposes in other days and the petitioners shall not interfere with the functions of respondent No.1 on those days, for a period of five(5) weeks. For hearing, list the matter on 17.06.2026. NV,J <i>BSP/TPS</i>	
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