

WA(MD) No.2046 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Thursday, the Seventeenth day of October Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN
and
The Hon`ble Mr.Justice K.K. RAMAKRISHNAN

W.A(MD)No.2046 of 2024
and
C.M.P(MD)Nos.14664 and 14665 of 2024

R.SAMUEL
CHAIRMAN / ELECTION OFFICER,
PASTORATE COMMITTEE,
ST. GEORGES CHURCH,
MADURAI.

... APPELLANT/5th RESPONDENT/
4th RESPONDENT

Vs

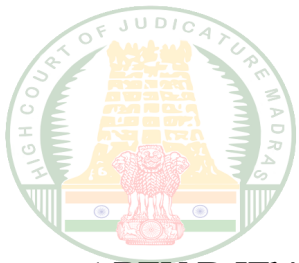
1 W.S.MILTON JEGANATHAN

... 1st RESPONDENT/REVIEW PETITIONER/
5th RESPONDENT

2 ARTHUR JOSEPH ASIRVATHAM

... 2nd RESPONDENT/1st RESPONDENT/
WRIT PETITIONER

3 THE EXECUTIVE MAGISTRATE-II/
THE TAHSILDAR,
MADURAI WEST,
MADURAI.



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4 REV.D.JEYASINGH PRINCE PRABHAKARAN,
BISHOP, CHURCH OF SOUTH INDIA,
MADURAI - RAMNAD DIOCESE, MADURAI.

5 SAMUEL DEVARAJ
THE ELECTION OFFICER,
ST. GEORGES CHURCH,
MAIN GUARD SQUARE, MADURAI - 625 001.

6 THE BRANCH MANAGER
TAMIL NADU MERCANTILE BANK, SIMMAKKAL,
MADURAI.

7 MANUVEL JEYARAJ
ELECTED MEMBER, PASTORATE COMMITTEE,
ST. GEORGES CHURCH, MADURAI.

8 A.P.SOLOMON JEYAKUMAR
ELECTED MEMBER, PASTORATE COMMITTEE,
ST. GEORGES CHURCH,
MADURAI.

... RESPONDENTS No.3 TO 8/RESPONDENTS 2 TO 4 & 6 TO 8/
RESPONDENTS 1 TO 3 & 6 TO 8

Writ Appeal filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to set aside the order dated 18.09.2024 in Rev.Apl.W(MD) No.166 of 2024 in W.P.(MD) No.16999 of 2024 passed by this Hon'ble Court and allow this writ appeal.

Prayer in CMP(MD). 14664/ 2024 :

To Dispense With the production of the original copy of the impugned order dated 18.09.2024 in Rev.Apl.W(MD) No.166 of 2024 In WP(MD) No.16999/2024 on the file of this Honourable Court and thus render justice.

Prayer in CMP(MD). 14665/ 2024 :

To pass an order of Interim Stay the operation of the impugned order dated 18.09.2024 in Rev.Apl.W.(MD) No.166 of 2024 in W.P(MD) No.16999/2024 on the file of this Honourable Court, pending disposal of the above Writ Appeal and thus



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render justice.

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Prayer in WP(MD). 16999/ 2024 :

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 4th respondent to allow the elected office bearers of pastorate committee of St. Georges Church, Madurai to discharge their duties.

ORDER : This Writ Appeal coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.R.GOVINDARAJAN, Advocate for M/S.A.N.RAMANATHAN, Advocate for the petitioner and of Mr.PT.THIRAVIAM, Government ADvocate on behalf of the 3rd Respondent, the court made the following order:-

(Order of the Court was made by P.VELMURUGAN,J)

Mr.PT.Thiraviam, learned Government Advocate takes notice for the third respondent.

2.Issue notice to the respondents 1,2 and 4 to 8 returnable in four weeks. Private notice is also permitted. Affidavit of service on the private notice to be filed by then. List the matter after four weeks. Batta for the Court notice to be paid within three days and if the batta is not paid in time, Registry shall not entertain the same and the Writ Appeal shall stand automatically dismissed as against the above-said respondents, without further reference to this Court. In case, if the batta is paid by the appellant and the same is otherwise in order, Registry is directed to proceed with



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the same in accordance with law on the same day itself, without any further delay.

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3.List the matter after four weeks, after service of notice and filing affidavit of service. There shall be an order of interim stay till then. Dispensed with for the present.

sd/-
17/10/2024

/ TRUE COPY /

/10/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VSN
TO

THE EXECUTIVE MAGISTRATE-II/
THE TAHSILDAR,
MADURAI WEST, MADURAI.

COPY TO:

THE SECTION OFFICER,
JUDICIAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. C.C. to M/S.A.N.RAMANATHAN Advocate SR.No.12566 (I) DT.17/10/2024



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ORDER IN
W.A(MD)No.2046 of 2024 and
C.M.P(MD)Nos.14664 and 14665 of 2024
Date :17/10/2024

SA/MMS/SAR. /22.10.2024/5P/4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.