

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**TUESDAY, THE TENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR**

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HONOURABLE SRI JUSTICE J.SREENIVAS RAO**

WRIT APPEAL NO: 1378 OF 2024

Writ Appeal under clause 15 of the Letters Patent Preferred against the Order Dated 05/12/2024 Passed in I.A.No.6 of 2024 in W.P.No.31154 of 2024 on the file of the High Court.

Between:

1. The Church of South India Trust, Association (CSITA), Diocese of Dornakal, Rep. by its Secretary, C/o. Bishop's Office, Cathedral Compound, Dornakal, Telangana - 506 381.
2. The Church of South India Trust, Association (CSITA), Rep. by its Secretary, C/o. Bishop's Office, Cathedral Compound, Dornakal, Telangana - 506 381.
3. Rt. Rev. Dr. K. Padma Rao, Bishop in Dornakal, age 45 years, Diocese of Dornakal, Church of South India, C/o. CSI St. Thomas Church, Ramavaram, BhadradiKothagudem District, Telangana State - 507 118.
4. IHRP Mohan Rao, Secretary, age 47 years Diocese of Dornakal, Church of South India, C/o. CSI St. Thomas Church, Ramavaram, BhadradiKothagudem District, Telangana State 507 11.8.

...APPELLANTS

AND

1. Mr. Cherukupalli Srikanth, S/o. Benarjee, aged about 36 years, Occ. Pvt. Service, R/o. H.No. 7-69/26/2, Gandhi Nagar, Near Shakeena Church, Kodad Mandal, Suryapet, Telangana -508 206.
2. Pagidipally Rahul Roshan, S/o. Pagidipally Yesupadam, Aged about 29 years, Occ. Pvt Service, R/o.H.No. 6-118, Gandhi Nagar, Kodad Town, P0. Kodad, Suryapet, Telangana -508 206.

...RESPONDENTS/PETITIONERS/PETITIONERS

3. The State of Telangana, Rep. by its Principal Secretary, Department of Social Welfare and Minority Affairs, Secretariat Buildings, Secretariat, Hyderabad.
4. The District Collector, Bhadradi Kothagudem, Telangana.
5. The District Collector, Khammam, Telangana.
6. The District Collector, Mahabubabad, Telangana.

7. The District Collector, Suryapet, Telangana.

8. The District Collector, Nalgonda, Telangana

...RESPONDENTS/RPDT Nos.1 to 6/RPDT Nos.1 to 6

IA NO: 2 OF 2024

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend operation of orders dt.05.12.2024 in IA.No.6/2024 in W.P.No.31154/2024 pending disposal of WA

**Counsel for the Appellants: SRI J.PRABHAKAR, Sr. COUNSEL, REP. FOR
SRI A.SRINIVAS**

Counsel for the Respondent No.1 & 2: YEMMIGANUR SOMA SRINATH REDDY

**Counsel for the Respondent No.3: SRI ANANTHULA RAVINDER,
GP FOR SOCIAL WELFARE**

**Counsel for the Respondent No.4 to 8: SRI MURALIDHAR REDDY KATRAM,
GP FOR REVENUE**

The Court delivered the following: JUDGMENT

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

AND

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

WRIT APPEAL No.1378 of 2024

JUDGMENT: *(Per the Hon'ble the Chief Justice Alok Aradhe)*

Mr. J.Prabhakar, learned Senior Counsel representing Mr. A.Srinivas, learned counsel for the appellants.

Mr. Yemmiganur Soma Srinath Reddy, learned counsel for the respondents No.1 and 2.

Mr. Ananthula Ravinder, learned Government Pleader for Social Welfare for the respondent No.3.

Mr. Muralidhar Reddy Katram, learned Government Pleader for Revenue for the respondents No.4 to 8.

2. With the consent of the learned counsel for the parties, the appeal is heard finally.

3. This intra court appeal emanates from an interim order dated 05.12.2024 passed by the learned Single Judge in I.A.No.6 of 2024 in W.P.No.31154 of 2024.

4. Facts giving rise to filing of this appeal briefly stated are that the respondents No.1 and 2 claim to be beneficiaries of the Church of South India Trust Association. The respondents No.1 and 2 had filed a writ petition being aggrieved by the action on the part of the respondents No.4 to 8 in not taking any action on the specific complaints made by the members of the Church with regard to the conduct of the meetings of CSI Diocese of Dornakal Council from 11.11.2024 to 14.11.2024. The respondents No.1 and 2, *inter alia*, had also assailed the validity of the notices dated 02.05.2024 and 19.07.2024 and the notice of intimation dated 08.10.2024 for conducting the 39th Diocesan Council Triennial Meetings of CSI Diocese of Dornakal Council of the appellants No.1 and 2 from 11.11.2024 to 14.11.2024. The learned Single Judge, by an *ex parte* order dated 07.11.2024, directed the official respondents, namely the District Collectors of Bhadrachalam, Khammam, Mahabubabad, Suryapet and Nalgonda Districts to take all necessary steps against conducting of the 39th Diocesan Council Triennial

Meetings of CSI Diocese of Dornakal Council of the appellants No.1 and 2 from 11.11.2024 to 14.11.2024 for a period of three weeks from the date of passing of the order. The period of three weeks expired on 27.11.2024.

5. The learned Single Judge, while entertaining the writ petition, passed an interim order on 07.11.2024, which reads as under:

“Heard learned counsel appearing on behalf of the petitioner.

Notice Before Admission.

Learned counsel appearing on behalf of the petitioners is permitted to take out personal notice to unofficial respondent Nos.7 to 10 and file proof of service of notice into the Registry by the next date of hearing.

Taking into consideration the averments made at paragraph No.5 of the affidavit filed by the petitioner in support of the present Writ Petition, the final judgment and order dated 12.04.2024 in O.S.A.No.236 of 2023, and batch passed by the High Court of Judicature at Madras and the order of the Apex Court dated 22.05.2024 passed in SLP(C) No.9079-9081 of 2024 and in particular paragraph No.7 of the said order as extracted hereunder:

"Having regard to the facts and circumstances of the case and without expressing even any *prima facie* opinion on

the merits of the cases, it is hereby directed that the Administrators appointed by the High Court vide its impugned order dated 12th April, 2024, shall not take any decision either with regard to the holding election or administration of the church of South India (CSI) and the CSI Trust Association till the next date of hearing."

The respondent Nos.2 to 6 are directed to take all necessary steps against conducting of the 39th Diocesan Council Triennial Meetings of CSI Diocese of Dornakal Council of respondent Nos.7 and 8 from 11.11.2024 to 14.11.2024, for a period of three (3) weeks from today.

List this matter on 21.11.2024."

6. Thereafter, the respondents No.1 and 2 filed an application, namely I.A.No.6 of 2024, seeking extension of the interim order dated 07.11.2024. The learned Single Judge thereupon, by an order dated 05.12.2024, has extended the interim order up to 10.12.2024. The order passed by the learned Single Judge reads as under:

"Heard Sri Yemmiganur Soma Srinath Reddy, learned counsel appearing on behalf of the petitioners and Sri J.Prabhakar, learned senior designated counsel representing, learned counsel appearing on behalf of respondent Nos.7 to 10 on record.

Taking into consideration the averments made in the affidavit filed in support of I.A.No.6 of 2024, the same is ordered.

The interim orders passed by this Court on 07.11.2024 in W.P.No.31154 of 2024 shall stand extended till 10.12.2024.”

7. The learned Senior Counsel for the appellants submits that the 39th Diocesan Council Triennial Meetings of CSI Diocese of Dornakal Council of the appellants No.1 and 2 have not taken place from 11.11.2024 to 14.11.2024.

8. However, it appears that the aforesaid aspect of the matter was not brought to the notice of the learned Single Judge. In view of the fact that the 39th Diocesan Council Triennial Meetings of CSI Diocese of Dornakal Council of the appellants No.1 and 2 have not taken place from 11.11.2024 to 14.11.2024, the learned Single Judge ought to have appreciated that the interim order dated 07.11.2024 had served its purpose and there was no need to continue the same by an order dated 05.12.2024.

9. Therefore, the impugned order dated 05.12.2024 passed in I A.No.6 of 2024 in W.P.No.31154 of 2024 is set aside. It is made clear that this Court has not expressed any opinion on the merits of the matter.

10. Accordingly, the appeal is disposed of.

11. The parties are at liberty to make a mention before the learned Single Judge.

Miscellaneous applications pending, if any, shall stand closed. However, there shall be no order as to costs.

SD/-I. NAGA LAKSHMI
DEPUTY REGISTRAR
SECTION OFFICER

//TRUE COPY//

To,

1. The Principal Secretary, Department of Social Welfare and Minority Affairs, Secretariat Buildings, Secretariat, Hyderabad, State of Telangana.
2. The District Collector, Bhadradi Kothagudem, Telangana.
3. The District Collector, Khammam, Telangana.
4. The District Collector, Mahabubabad, Telangana.
5. The District Collector, Suryapet, Telangana.
6. The District Collector, Nalgonda, Telangana.
7. The S.O.WRIT (NON-SERVICE) SECTION
8. One CC to SRI A.SRINIVAS, Advocate [OPUC]
9. One CC to SRI YEMMIGANUR SOMA SRINATH REDDY, Advocate [OPUC]
10. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad [OUT]
11. Two CCs to GP FOR SOCIAL WELFARE, High Court for the State of Telangana at Hyderabad [OUT]
12. Two CD Copies

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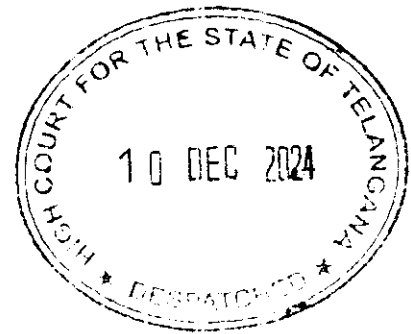
CC TODAY

HIGH COURT

DATED: 10/12/2024

JUDGMENT

WA.No.1378 of 2024



DISPOSING OF THE WRIT APPEAL,
WITHOUT COSTS

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~~_____~~
~~10/12/2024~~