

D.Bright Joseph vs Church Of South India(Csi), on 6 October, 2026

Author: [D.Bharatha Chakravarthy](#)

Bench: [D.Bharatha Chakravarthy](#)

2026:MHC:4093

WP Nos. 3618 & 5441 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

ORDERS RESERVED ON

: 17.09.2026

ORDERS PRONOUNCED ON

: 06.10.2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP Nos. 3618 & 5441 of 2026

and

WMP Nos.4032, 4035, 5965, 5967, 5969 & 27837 of 2026

CNR:{HCMA010210802026}

W.P.No.3618 of 2026

D.Bright Joseph

..Petitioner

Vs

1. Church of South India (CSI),
Synod Secretariat
No. 5, Whites Road, Royapettah,
Chennai- 600 014.
2. Rt Rev Reuben Mark
Ex.Moderator,
(term ended on 13.01.2026)
Church of South India, (CSI)
Synod Secretariat
No. 5, Whites Road, Royapettah,
Chennai – 600 014.
3. Adv C. Fernandas Rathina Raja,
Ex.General Secretary
(term ended on 13.01.2026)
Church of South India, (CSI)
Synod Secretariat, No. 5, Whites Road,
Royapettah, Chennai – 600 014.
4. Prof. Dr. Vimal Sukumar,
Ex.Honorary Treasurer,
(term ended on 13.01.2026)
Church of South India, (CSI)

Synod Secretariat,
No. 5, Whites Road,
Royapettah, Chennai – 600 014.

5. Registrar of Companies,
Shastri Bhawan, Block No. 6,
B Wing, 2nd Floor, 26 Haddows Road,
Chennai – 600 034.
6. Church of South India Trust
Association (CSITA)
CSI Synod Secretariat, CSI Centre,
No.5, Whites Road, Royapettah,
Chennai 600 014.
7. Rt.Rev. Francis
Ex.Dy.Moderator
(term ended on 13.01.2026)
CSI Synod Secretariat, CSI Centre,
No.5, Whites Road, Royapettah,
Chennai – 600 014.
8. The Director,
Directorate of Collegiate Education,
No.577, Anna Salai
Saidapet, Chennai – 600 015.
9. The Director,
Department of School Education
Govt. of Tamil Nadu
DPI Campus Road
College Road, Chennai-600 006.
- 10.The Director,
Director of Technical and Vocational Training
Govt. of Tamil Nadu, Chennai – 600 025.
- 11.The Director,
Directorate of Medical & Nursing Education
No.162, EVR Periyar Road
Kilpauk, Chennai – 600010.

..Respondents

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WP Nos. 3618 & 5441 of 2026

WP No. 5441 of 2026
CNR:{HCMA010326592026}

Kommula Naveen

..Petitioner

Vs

1. Principal Secretary to Government,
School Education Department,
Government of Tamil Nadu,
Secretariat, Chennai – 600 009.
2. Commissioner of Collegiate Education,
Directorate of Collegiate Education,
577, Anna Salai, Saidapet, Chennai 600 015.
3. Director of Medical Education and Research,
Directorate of Medical Education and Research
DMS Complex, No 359-361, Anna Salai,
Chennai – 600 006.
4. Director of Medical Services,
Directorate of Medical Services
DMS Complex, No. 359-361,
Anna Salai, Chennai – 600 006.
5. Registrar of Companies,
Ministry of Corporate Affairs,
II Floor, Shastri Bhawan,
26 Haddows Road, Chennai 600 006.
6. Church of South India
CSI Synod Secretariat, CSI Centre,
No. 5, Whites Road, Royapettah,
Chennai – 600 014.
7. Church of South India Trust Association
a registered company represented by its
Directors CSI Synod Secretariat, CSI Centre,
No.5, Whites Road, Royapettah,
Chennai – 600 014.

..Respondents

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WP Nos. 3618 & 5441 of 2026

Prayer in W.P.No.3618 of 2026: Writ Petition filed under [Article 226](#) of the Constitution of India for the issuance of Writ of Mandamus, forbearing the respondents 2 to 4 and 7 from occupying the office of the respondents 1 and 6 or its constituent bodies and its institutions and discharging any function relating thereto and consequently appoint a Committee of Administrators consisting of Former Judges of this Court for administering the affairs of the first respondent and its constituent Dioceses, bodies, institutions and conduct a free and fair election for the posts of the office bearers of the 1 st respondent by regularising the electoral college in accordance with the Constitution of the first respondent, within a time to be stipulated by this Court may deem fit and proper and till such time, direct the respondents 8 to 11 not to entertain any communications from the respondents 2 to 4 and 7 or their subordinates regarding the administration of the respondents 1 and 6 and all their institutions, appointments, transfers, approval etc.

Prayer in W.P.No. 5441 of 2026: Writ Petition filed under [Article 226](#) of the

Constitution of India for the issuance of Writ of Mandamus, (i) a direction to the CSI Synod Secretariat of the 6th respondent to convene the ordinary meeting of the Synod for the period 2026–2029 and consequently appoint an Election Officer to conduct elections to the posts of Moderator, Deputy Moderator, General Secretary and Treasurer for the period 2026–2029 by way of secret ballot and including by convening the Bishops Council to nominate a candidate for the post of Moderator and Deputy Moderator and to convene the Nomination Committee to bring the names of qualified candidates to the posts of General Secretary and Treasurer for vote before the Synod. (ii) a direction to the CSI Synod Secretariat of the 6th respondent to convene the ordinary meeting of the Synod for the period 2026–2029 and consequently appoint an Election Officer to conduct elections to elect the members of the seventh respondent for

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the period 2026 – 2029 permitting all members of CSI to contest such elections and consequently to conduct the annual general meeting of the seventh respondent wherein its members shall elect Committee of Management for the year 2026 – 2027 permitting all members of CSI to contest such elections.

WP No. 3618 of 2026

For Petitioner: Mr.S.Thanka Sivan

For Respondents: Mr.V.Prakash, Senior Counsel
for Mr.Adrian D.Rozario for R1 to R4, R6, R7

Dr.G.Babu, SPC for R5

Mrs.Kalpa Reddy
Special Government Pleader for R8 & R9

WP No. 5441 of 2026

For Petitioner: Mr.Vineet Subramani

For Respondents: Mrs.Kalpa Reddy
Special Government Pleader for R1 to R5

Mr.V.Prakash, Senior Counsel
for Mr.Adrian D.Rozario for R6 &, R7

Dr.G.Babu, SPC for R5

COMMON ORDER

These two writ petitions are connected; the issues and prayers overlap and identical grounds are raised; accordingly, this common order addresses and disposes of them.

Page5 of 24 <https://www.mhc.tn.gov.in/judis> 2026:MHC:4093 WP Nos. 3618 & 5441 of 2026 A. The facts in brief:

2. The brief facts leading to the filing of the writ petitions are that the Church of South India is a body concerned with the churches of the United Protestant denomination of Christian faith. It is said to be a union of twenty-four Dioceses, that is, twenty-three in South India and one in Jaffna, Sri Lanka. The body is represented by clergy and laymen nominated by these Dioceses, collectively called the Synod. The Synod also elects its office-bearers. It is governed by a document titled “Constitution of Church of South India, 2016”.

The said Constitution is in the nature of by-laws which govern the entire gamut of its activities.

3. Chapter - I gives the name as the Church of South India and mentions the various councils coming under the same, and holds that the office of the Synod or its Secretariat is situated at 5, White Road, Royapettah, Chennai - 600014. Chapter - II deals with the governing principles of the Church. Chapter

- III proclaims the mission of the Church. Chapter - IV deals with the Church's membership, and Chapter - V deals with the Church's ministry. Chapter - VI prescribes the procedure for the election, appointment, consecration and installation of Bishops of the various Dioceses. Chapter - VII deals with the local congregations, pastorates and pastoral committees, and Chapter - VIII describes the Diocesan Councils.

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4. Chapter - IX deals with the Synod. The Synod is the Church of South India's highest representative body and its supreme governing and legislative body. Paragraph 2 enumerates the members of the Synod. Paragraph 3 states that every Diocesan Council shall hold fresh elections of the ministerial and lay representatives of the Diocese in the Synod for each ordinary meeting of the Synod. Paragraph 6 mentions that the officers of the Synod shall be a Moderator, a Deputy Moderator, a General Secretary and a Treasurer. The manner of election to these offices is also mentioned therein. Paragraph 8 provides that all officers shall be elected at each ordinary meeting of the Synod and shall hold office from the close of that meeting until the close of the next ordinary meeting of the Synod. Paragraphs 13 onwards describe the Synod's powers. Paragraph 14 enables the Synod to make rules, pass resolutions and take executive action as may be necessary from time to time for the general management and good government of the Church and of the property and affairs thereof. Paragraphs 18 onwards lay down the rules relating to the conduct and business of the Synod and its committees. Paragraph 20 states that an ordinary meeting of the Synod shall be held once in every three years, starting from 2015, at such time and place as the Executive Committee may determine.

5. Chapter X deals with the worship of the Church. Chapter XI deals with the discipline of the Church and the settlement of disputes. The other chapters deal with affairs such as marriage law, membership by-laws, the procedure for _____ Page 7 of 24 <https://www.mhc.tn.gov.in/judis> 2026:MHC:4093 WP Nos. 3618 & 5441 of 2026 various activities and the committees of the Synod, including the appellate jurisdiction of the Synod.

6. The writ petitioners' case is that the last ordinary meeting of the Synod took place on 15.01.2023, at which the present office-bearers were elected. Thus, the Synod's term extends only to the next ordinary meeting, which is to be held within three years, i.e., in January 2026. The office-bearers of the Synod, or their terms, cannot eclipse the Synod itself; as such, their terms must mandatorily end by January 2026, and they cannot, under any circumstances, continue beyond that.

7. While so, with reference to the Synod of the year 2023, a civil suit in the Original Jurisdiction of this Court was filed in C.S.No.7 of 2023 by one D.Sunildas and another under [Section 92](#) of the Code of Civil Procedure, with the prayers: (i) to declare the notification dated 27.12.2022 issued by the first defendant, carried through the fourth defendant to carry out or implement the amendments to the Constitution enhancing the retirement age of the Bishops and Presbyters to 70 years, as illegal and void; (ii) for a permanent injunction restraining defendants 2 to 5 therein from proceeding with any meeting of the Church of South India Synod Council on the basis of the said notification dated 27.12.2022; (iii) for a permanent injunction restraining the defendants therein from in any manner amending the Constitution/by-laws of the Church of South _____ Page 8 of 24 <https://www.mhc.tn.gov.in/judis> 2026:MHC:4093 WP Nos. 3618 & 5441 of 2026 India or implementing any amendments as per the Special Synod Council meeting dated 07.03.2022; (iv) for appointing a former Judge of this Court as Administrator for framing guidelines and for the good administration and management of the affairs of the Church of South India; and (v) for enquiring into all pending disputes affecting or relating to the Electoral College of the Church of South India, and (vi) for other reliefs.

8. By an order dated 12.01.2023, passed in O.A.Nos. 818 and 819 of 2022, the learned Judge granted an interim order permitting the conduct of the ordinary meeting of the Synod and the election, subject to the condition that the entire proceedings shall be recorded by deploying appropriate equipment and that such audio-visual recording shall be presented to the Court. The election shall be conducted by adopting the ballot process prescribed by the Constitution; the results of the election shall not be declared until further orders; and all the office-bearers who are elected, but would have been ineligible but for the amendments, shall not be entitled to claim any equities in their favour when the interlocutory applications are taken up for final disposal.

9. Thereafter, on 05.09.2023, an order was passed in the above applications as well as in the other application filed, ordering a re-election and appointing the Hon'ble Mr Justice V.Bharathidasan (a retired Judge of this Court) as the Election Officer. The decision was carried by way of intra-court _____ Page 9 of 24 <https://www.mhc.tn.gov.in/judis> 2026:MHC:4093 WP Nos. 3618 & 5441 of 2026 appeals to the Hon'ble Division Bench of this Court, and by a judgment dated 12.04.2024, the order was modified by appointing a committee of two Honourable retired Judges, namely, the Hon'ble Mr Justice R.Balasubramanian and the Hon'ble Mr Justice V.Bharathidasan, as the Administrative Committee to administer the Church till the elections of the Diocesan Councils were completed.

10. The matter was carried further to the Supreme Court of India, and by a judgment in S.L.P.(C). No. 9079-9081 of 2024, etc., the learned Single Judge's order was restored. It is further stated that, when elections were subsequently held, they were also set aside, and the matter is pending on the Original Side of this Court. The writ petitioners contend that merely because an initial order of injunction was later modified, the presence of the present office-bearers, or the contention that they will continue, will not extend their term. The petitioners contend that, as of 12.01.2026, the three-year period expired, and the office-bearers cannot continue beyond it. They are

illegally claiming that they will continue up to the year 2028 and are further indulging in several irregularities and malpractices; hence, the petitioners are constrained to approach this Court.

11. The respondents/office bearers deny the claim. They contend that, taking into account the orders passed in the suit, the 37 ordinary session of the th CSI Synod would expire only in the year 2028. It is their further contention that, _____ Page10 of 24 <https://www.mhc.tn.gov.in/judis> 2026:MHC:4093 WP Nos. 3618 & 5441 of 2026 even though the meeting of the Synod commenced in the year 2023, by virtue of the aforementioned civil suit and the orders passed therein, the closure of the Synod meeting can be deemed only on 21.07.2025, and as such, the office- bearers will continue until the close of the next ordinary meeting of the Synod, which will be only in the year 2028. Under these circumstances, detailed arguments were advanced on both maintainability and the merits of the prayers made in the writ petitions.

12. W.P.No.3618 of 2026 is filed by Mr D. Bright Joseph, seeking to forbear respondents 2 to 4 and 7, namely, Rt. Rev. Ruben Mark, Ex-Moderator; Adv.C.Fernandas Rathina Raja, Ex-General Secretary; Prof.Dr.Vimal Sukumar, Ex-Honorary Treasurer; and Rt.Rev.Francis, Ex-Deputy Moderator or their constituent bodies and institutions, from discharging any function in relation to the said offices and consequently, to appoint a committee of administrators consisting of former Judges of this Court for administering the affairs of the Church of South India/first respondent and its constituent Dioceses, bodies and institutions and to conduct free and fair elections for the posts of office bearers of the first respondent/Church of South India by regularising the Electoral College in accordance with the Constitution of the first respondent within a time to be stipulated by this Court; and further directing respondents 8 to 11, that is, the educational agencies of the State of Tamil Nadu, not to entertain any communications from respondents 2 to 4 and 7 regarding the administration of _____ Page11 of 24 <https://www.mhc.tn.gov.in/judis> 2026:MHC:4093 WP Nos. 3618 & 5441 of 2026 the Church of South India, that is, the first respondent, and the sixth respondent, namely, the Church of South India Trust Association, with reference to all their institutions, appointments, transfers, approvals, etc.

13. W.P.No.5441 of 2026 is for a prayer directing the Church of South India's Synod Secretariat, the sixth respondent (Church of South India), to convene the ordinary meeting of the Synod for the period 2026-2029 and, consequently, appoint an Election Officer to conduct the elections to the posts of Moderator, Deputy Moderator, General Secretary and Treasurer for the period 2026-2029 by way of secret ballot, including by convening the Bishops Council to nominate a candidate for the post of Moderator and Deputy Moderator, and to convene the Nomination Committee to bring the names of the qualified candidates for the posts of General Secretary and Treasurer for vote before the Synod; and for a direction to the CSI Synod Secretariat of the sixth respondent (Church of South India) to convene the ordinary meeting of the Synod for the period 2026-2029 and consequently, appoint an Election Officer to conduct elections to elect the members of the seventh respondent (Church of South India Trust Association) for the period 2026-2029, permitting all the members of the CSI to contest such elections and consequently to conduct the Annual General Meeting of the seventh respondent, wherein its members shall elect the Committee of Management for the year 2026-2027, permitting all the members of the CSI to contest such elections.

_____ Page12 of 24 <https://www.mhc.tn.gov.in/judis> 2026:MHC:4093 WP Nos. 3618 & 5441 of 2026 B. The Church of South India:

14. The first respondent in W.P.No.3618 of 2026 and the sixth respondent in W.P.No.5441 of 2026, namely, is the Church of South India. It's constitution has to be considered. The petitioners contend that the Church of South India itself is a trust, and its properties and educational institutions are vested in and managed by the Church of South India Trust Association, which is a company incorporated under the [Companies Act](#) and acts as the trustee that manages the properties and educational institutions belonging to the trust.

15. The contention is denied by Mr V. Prakash, the learned Senior Counsel appearing on behalf of the private respondents, as well as by the present office-bearers representing the body. He contends that it is an unregistered body governed by its Constitution and not a trust.

16. Upon consideration, it is evident that several litigations have been filed with reference to the body. In [Church of South India Trust Association Vs. Telugu Church Council](#), (1996 (2) SCC 520), though the nature of the Church of South India was not a question raised for consideration, the Hon'ble Supreme Court of India traced its history in paragraph 3 and recorded that it is a united single body formed to be the apex body of various church councils, and that the Church of South India Trust Association was incorporated under the

_____ Page13 of 24 <https://www.mhc.tn.gov.in/judis> 2026:MHC:4093 WP Nos. 3618 & 5441 of 2026 [Indian Companies Act, 1913](#), for the purpose of holding and administering the properties and funds of the Church of South India.

17. Even in the judgment in [District Council of United Basel Mission Church and Others Vs. Salvador Nicholas Mathias and Others](#)(1988 (2) SCC

31), the Hon'ble Supreme Court of India recorded the same lines and did not expressly record that the Church of South India itself is a trust. In various litigations, only the Church of South India Trust Association, which is the company, is recorded as a trustee for holding and administering the properties and funds of the Church of South India. However, this Court, in R.T.Rev. [A.C. Soloman Vs. M. Sathish Chandra](#) in A.No.310 of 2021 in C.S.No.296 of 2020, etc., proceeded on the basis that any church is a public religious trust and that the first defendant in the suit, Church of South India, is a public religious trust. Further, the Kerala High Court in [T.J.John Vs. Church of South India, F.A.O.No.188](#) of 2013, also proceeded as if the Church of South India is a trust. However, in none of the earlier litigations was any question framed as to the nature of the Church of South India and answered. Neither is this Court deciding the same, inasmuch as giving an authoritative finding in that regard is not germane to deciding the issue of maintainability.

18. If the contention of the respondents that the Church of South India is only a united ecclesiastical/religious body governed by an unregistered by-law _____ Page14 of 24 <https://www.mhc.tn.gov.in/judis> 2026:MHC:4093 WP Nos. 3618 & 5441 of 2026 in the nature of a contract between the individuals who are subscribing to the contract is taken as correct, it will not be a juristic person. Similarly, even if it is taken as a trust, it will still not be a juristic person. Useful reference in this regard can be made to paragraphs 6 and 7 of the latest judgment of the Honourable Supreme Court of India in the case of [Madasa Masih-Ul-Uloom Educational and Charitable Trust Vs. State of Karnataka and Ors](#) in S.L.P. (Crl.)No.1358 of 2026 dated 10.09.2026.

19. Thus, in either case, for the purpose of deciding the maintainability, suffice it to state that, either way, it is a private body and not a juristic person.

20. With reference to the maintainability of the writ petitions under [Article 226](#) of the Constitution of India, the matter is no longer res integra. The Honourable Supreme Court laid down these principles in *Ajay Hasia Etc. v. Khalid Mujib Sehravardi & Ors.* (1981 (1) SCC 722). Thus, it can be seen that a writ petition is maintainable even against a private body or even a body of individuals, provided they are discharging a public duty.

21. With reference to public duty and its nature, the same was also [laid down by](#) the Supreme Court of India in *Andi Mukta Sadguru Shree Muktajee Vandas Swami Suvarna Jayanti Mahotsav Smarak Trust & Others vs.V.R.Rudani and others*, 1989, 2 SCC 691, and it is essential to extract _____ Page15 of 24 <https://www.mhc.tn.gov.in/judis> 2026:MHC:4093 WP Nos. 3618 & 5441 of 2026 paragraph 20, which reads as follows:

"The term "authority" used in [Article 226](#), in the con- text, must receive a liberal meaning unlike the term in [Article 12](#). [Article 12](#) is relevant only for the purpose of enforcement of fundamental rights under [Article 32](#). [Article 226](#) confers power on the High Courts to issue writs for enforcement of the fundamental rights as well as non-

fundamental rights. The words "Any person or authority"

used in [Article 226](#) are, therefore, not to be confined only to statutory authorities and instrumentalities of the State. They may cover any other person or body performing public duty. The form of the body concerned is not very much relevant. What is relevant is the nature of the duty imposed on the body. The duty must be judged in the light of positive obligation owed by the person or authority to the affected party. No matter by what means the duty is imposed. If a positive obligation exists, mandamus cannot be denied." (Emphasis supplied)

22. With reference to the very Church of South India, the issue was considered by the Hon'ble Full Bench of this Court in *W.P.No.30472 of 2022* dated 29.02.2024, and it is essential to extract paragraphs 23 and 24 of the judgment, which read as follows:

"23. From the conspectus of the above principles and judgments which describe a public duty, it is amply evident that the respondent apart from its ecclesiastical functions, is running and managing various schools, colleges and hospitals. The respondent is definitely discharging the public function and if any action taken by them which is detrimental to the discharge of this duty, a writ petition would definitely be maintainable. Unlike, [Article 32](#) of the Constitution of India any person _____ Page16 of 24 <https://www.mhc.tn.gov.in/judis> 2026:MHC:4093 WP Nos. 3618 & 5441 of 2026 even if he is not a person aggrieved can invoke the jurisdiction of this Court under [Article 226](#) of the Constitution of India. The petitioner is aggrieved by the fact that respondents 1 and 2, by manipulating the electoral process are nominating persons of questionable character, especially against whom criminal proceedings have been directed. Further, an amendment to increase the age of superannuation has been put in place to ensure that the persons now in management can continue for a further period unopposed. The activities of such persons would seriously impair the standards of education as also the institutions. Therefore, taking note of the fact that it is these persons who constitute the educational agency, the writ petition is maintainable.

24. To summarize the issue now in reference, it can be stated that:

(i) the respondents 1 and 2 are running 2300 schools, 150 colleges and 104 hospitals in India.

Therefore, the public duty that they discharge falls within the contours of [Article 21](#) and [21A](#) of the Constitution of India.

(ii) The Courts have emphasized that educational institutions which nurture and develop young minds should ensure quality education and high standards of integrity to the persons passing through their institutes. Therefore, persons administering and managing these institutions should be above board.

(iii) Since the educational institutions run by respondents 1 and 2, both aided as well as unaided, are bound by statutory regulations of varying degrees, they are amenable to the writ jurisdiction. Any act of the management who are in administration of these institutes / hospitals likely to bring down the standards of both education as well as medical services can be challenged by any person invoking _____ Page17 of 24 <https://www.mhc.tn.gov.in/judis> 2026:MHC:4093 WP Nos. 3618 & 5441 of 2026 the rights under [Article 226](#) and in that sense, respondents 1 and 2 would fall within the category of any person or authority as described under [Article 226](#) of the Constitution of India.

(iv) The educational agency of the institutions run by the first respondent is the Synod and the Constitution of the Synod has a direct impact on the quality and standards of the educational institutions/hospitals. Therefore, any act impairing /impacting the process of electing the Synod would have a direct impact on the quality and standard of these institutions/hospitals.

(v) Apart from running educational institutions, respondents 1 and 2 are also maintaining churches and discharging functions of the clergy. These functions are outside the scope of judicial review under [Article 226](#) of the Constitution of India.

(vi) A person aggrieved by the acts of respondents 1 and 2 relating to the above can definitely move this Court under [Article 226](#) of the Constitution of India to ensure the due compliance of this public duty.” (Emphasis supplied)

23. Thus, it can be seen that if the matter relates to the constitution of the Synod and has a direct impact on the quality and standards of the educational institutions and hospitals, then any act impairing or affecting the process of electing the Synod would have a direct impact on the quality and standards of the institutions. If any person is aggrieved by the acts of respondents 1 and 2 relating to the above, such person can definitely move the Court under [Article 226](#) of the Constitution of India. The Hon'ble Supreme Court of India dismissed _____ Page18 of 24 <https://www.mhc.tn.gov.in/judis> 2026:MHC:4093 WP Nos. 3618 & 5441 of 2026 the Special Leave Petition against the above judgment while keeping the question of law open. This means the Full Bench judgment stands as far as the High Court, while the Hon'ble Supreme Court will examine the question in an appropriate matter.

24. With the above background in mind, it is seen that the core grievance that is expressed is that the four individuals, who, according to the learned counsel, are presently serving as office bearers and whose term, according to the petitioners, is already over, are illegally trying to extend their term of office by making untenable claims.

25. As far as W.P.No.5441 of 2026 is concerned, only the CSI Synod is arrayed as the sixth respondent, and the individuals are not even made parties. Thus, the writ petition against the sixth respondent, which is not even a legal person, is not maintainable in the absence of the individuals as parties, as the CSI is not even a juristic person.

26. The individuals are made parties in W.P.No.3618 of 2026. Thus, even if it is considered in the light of the Full Bench judgment and keeping in mind the dictum of the Hon'ble Supreme Court in *Andi Mukta Sadguru Shree Muktajee Vandas Swami Suvarna Jayanti Mahotsav Smarak Trust*, the action complained of is the duty of these four individuals to vacate their offices and _____ Page19 of 24 <https://www.mhc.tn.gov.in/judis> 2026:MHC:4093 WP Nos. 3618 & 5441 of 2026 enable the ordinary meeting of the Synod to be conducted and the new office-bearers to be elected. Thus, it is neither directly nor indirectly related to any public duty or to any adverse effect on the administration of the educational institutions. It relates to the excesses or illegality perpetrated by the four individuals who are presently claiming to be office-bearers, while, according to the petitioners, they are not entitled to claim or continue. The petitioners are also directly concerned only with the administration of the Church and its office-bearers; I hold that the writ petition is not maintainable.

27. Even stretching it to the extent that, by way of secondary concern, different office bearers may nominate different educational agencies and persons, and therefore, it has nexus with the administration of the schools and colleges and holding that the writ petition is maintainable, still the writ petition is not entertainable in the facts of the present case for the following reasons:

(a) the entire issue directly arises out of the civil proceedings pending by way of the suit filed under [Section 92](#) of the CPC and the import of the orders passed in the civil proceedings;

(b) The core violation or illegality complained of is the personal action/attitude of the four individuals who, according to the petitioners, have completed their term of office but are continuing in office by making an untenable claim;

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(c) Even an application with reference to the same prayer is said to be pending in the very same C.S.No.7 of 2023;

(d) Even as per the claim of the petitioner that the institution is a public charitable trust, a suit under [Section 92](#) is generally the more appropriate remedy, as the Court exercises *parens patriae* jurisdiction under [Section 92](#) of the CPC with a view to protecting the trust, and the dominant purpose of the proceedings is with reference to the scheme of administration and the contentious nature of the terms of office and the term of the ordinary meeting of the Synod, etc;

(e) Since normally leave is obtained in the said jurisdiction, all parties interested have a say, and the Court authoritatively decides the matter, which may include providing for a scheme, providing for the appointment, removal, selection or election of trustees or other managing bodies that are necessary for proper administration, including laying down mechanisms and modifications for the future, etc.

28. Therefore, this is not an appropriate case for the issue to be gone into by exercise of power under [Article 226](#) of the Constitution of India. The parties can approach the Civil Jurisdiction by taking out applications in the very same pending suit, or the petitioners, or any one of them, can also file a suit, depending on the contention, either under [Section 92](#) of the CPC or by generally claiming relief against the individuals who are alleged to be acting in excess of _____ Page21 of 24 <https://www.mhc.tn.gov.in/judis> 2026:MHC:4093 WP Nos. 3618 & 5441 of 2026 their power or without jurisdiction.

29. Keeping the said liberty open, the writ petitions stand dismissed. Everyone concerned shall co-operate for the expeditious disposal and adjudication of the lis, as and when such civil proceedings are filed. No costs. Consequently, the connected miscellaneous petitions are closed.

.10.2026 Index: Yes Speaking order Neutral Citation: Yes NSL To

1. The Director, Directorate of Collegiate Education, No.577, Anna Salai Saidapet, Chennai - 600 015.

2. The Director, Department of School Education Govt. of Tamil Nadu DPI Campus Road College Road, Chennai-600 006.

3. The Director, Director of Technical and Vocational Training Govt. of Tamil Nadu, Chennai - 600 025.

4. The Director, Directorate of Medical & Nursing Education No.162, EVR Periyar Road Kilpauk, Chennai – 600010.

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5. The Principal Secretary to Government, School Education Department, Government of Tamil Nadu, Secretariat, Chennai - 600 009.

6. The Commissioner of Collegiate Education, Directorate of Collegiate Education, 577, Anna Salai, Saidapet, Chennai 600 015.

7. The Director of Medical Education and Research, Directorate of Medical Education and Research DMS Complex, No 359-361, Anna Salai, Chennai - 600 006.

8. The Director of Medical Services, Directorate of Medical Services DMS Complex, No. 359-361, Anna Salai, Chennai - 600 006.

9. The Registrar of Companies, Ministry of Corporate Affairs, II Floor, Shastri Bhawan, 26 Haddows Road, Chennai 600 006

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NSL WP Nos. 3618 & 5441 of 2026 and WMP Nos.4032, 4035, 5965, 5967, 5969 & 27837 of 2026 06-10-2026 _____ Page24 of 24 <https://www.mhc.tn.gov.in/judis>