

(2024) 05 KL CK 0089

In the High Court Of Kerala

Case No : Original Petition (C) No. 1025 Of 2024

Mor Gregorios Kuriakose

APPELLANT

Vs

Malankara Suriyani Knanaya Samudayam

RESPONDENT

Date of Decision : 21-05-2024

Acts Referred:

Citation : (2024) 05 KL CK 0089

Hon'ble Judges : Dr. Kauser Edappagath, J

Bench : Single Bench

Advocate : Joseph Kodianthara, Jacob P.Alex, Joseph P.Alex, Manu Sankar P.
Amal Amir Ali, Paul Jacob

Final Decision : Disposed Of

Judgement

Dr. Kauser Edappagath, J

1. The petitioners instituted Ext.P12 suit before the vacation court, Kottayam. The prayer in the suit, among other things, was to restrain the respondents from discussing certain proposed amendment covered by Ext.P10 to the Samudayam Constitution that are allegedly far beyond the scope and authority of the 2nd respondent.

2. Since there was caveat, the vacation court did not pass any interim order. The case was numbered as O.S No.204/2024 before the Regular Court, i.e the Munsiff's Court, Kottayam (for short, 'the trial court').

3. It is submitted by the learned Senior Counsel, Sri.Joseph Kodianthara, appearing for the petitioners that the Munsiff's Court took up the matter on 18.05.2024, and interim injunction application stands posted yesterday for hearing. The learned Senior Counsel further submitted that the meeting of the 2nd respondent-association is convened today to consider the proposed amendment. If the amendment is passed before considering the interim injunction application, irreparable injury would be caused to the petitioners.

4. Having heard the learned Senior Counsel appearing for the petitioners, this Original Petition is disposed of as follows:

a) The Munsiff's Court, Kottayam is directed to dispose of Ext.P13 interim injunction application, after hearing both sides, within a period of two weeks, untrammelled by any of the observations made in this judgment.

b) The trial court is directed to suo motu advance hearing of Ext.P13.

c) The decision, if any, taken in today's meeting, regarding the amendment shall not be implemented by respondents 1 and 6, till Ext.P13 interim injunction application is finally disposed of by the Munsiff's Court, and also, for a period of two weeks thereafter.

d) It is made clear that the decision, if any, taken in today's meeting shall be subject to the final outcome of CMP No.42/2024.