

**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: 1377 OF 2024

Writ Appeal under clause 15 of the Letters Patent Preferred Against Order Dated 05/12/2024 Passed in IA 5/2024 WP.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, Aged About 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, Diocese of Dornakal, Aged About 47 Years Church of South India, C/o. CSI St. Thomas Church, Ramavaram, BhadradiKothagudem District, Telangana State - 507 118.

...APPELLANTS/RPDT NOS.7 TO 10/RPDT NOS.7 TO 10

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, PO . 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.5/2024 in W.P.No.31154/2024, pending disposal of WA.No. /2024

Counsel for the Appellants: SRI J. PRABHAKAR FOR SRI. A SRINIVAS

Counsel for the Respondent Nos.1&2: YEMMIGANUR SOMA SRINATH REDDY

Counsel for the Respondent NO.3: SRI ANANTHULA RAVINDER GP FOR SOCIAL WELFARE

Counsel for the Respondent Nos.4 to 8: SRI MURALIDHAR REDDY KATRAM GP FOR REVENUE

The Court made the following: ORDER

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

AND

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

WRIT APPEAL No.1377 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.5 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. Thereafter, the respondents No.1 and 2 filed an interlocutory application, namely I.A.No.5 of 2024, in which stay of the notice dated 04.12.2024 issued by the appellant No.1 for conducting the 39th Diocesan Council Triennial Meetings for Dornakal Diocese on 05.12.2024 as well as all subsequent acts to be performed in pursuance of the said notice was sought. The learned Single Judge, by an order dated 05.12.2024 passed the following order:

“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.5 of 2024, the same is ordered as prayed for.”

6. The Supreme Court in **Hindustan Times Ltd. v. Union of India**¹, while emphasising on giving of reasons by the High Court observed that the necessity to provide reasons, howsoever brief, in support of the High Court's conclusions is too obvious to be reiterated. It has further been held that obligation to give reasons introduces clarity and excludes or at any rate minimises the chances of arbitrariness. Similar view was taken in **Special Director v. Mohd. Ghulam Ghouse**², wherein the Supreme Court held that it is certainly desirable and proper for the High Court to indicate the reasons which have weighed with it for granting an interim order.

7. From perusal of the impugned order, it is evident that the learned Single Judge has failed to assign any reasons in support of grant of interim order.

8. At this stage, learned Senior Counsel for the appellants submits that the meeting has already been held on 05.12.2024. However, it is stated that till 13.12.2024,

¹ (1998) 2 SCC 242

² (2004) 3 SCC 440

the appellants shall not give effect to the decisions taken in the meeting.

9. The aforesaid undertaking is placed on record.

10. The impugned order dated 05.12.2024 does not contain any reasons and is in contravention of the law laid down by the Supreme Court. It is also pertinent to note that the impugned order has been passed without granting an opportunity to the appellants to file the counter affidavit to I.A.No.5 of 2024 and the same has been allowed. Therefore, the impugned order cannot be sustained. It is accordingly set aside.

11. The appellants shall file the counter affidavit to I.A.No.5 of 2024 by tomorrow i.e., 11.12.2024.

12. We request the learned Single Judge to decide I.A.No.5 of 2024 in W.P.No.31154 of 2024 afresh after hearing the parties and by a speaking order. It is made clear that this Court has not expressed any opinion on the merits of the matter.

13. Accordingly, the appeal is disposed of.

14. 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.

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SD/-I. NAGA LAKSHMI
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Department of Social Welfare and Minority Affairs, Secretariat Buildings, Secretariat, Hyderabad.
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 WP NON-SERVICE SECTION
8. The Section Officer, Writ DB Section, High Court for the State of Telangana at Hyderabad.
9. The Section Officer, Posting Section, High Court for the State of Telangana at Hyderabad.
10. One CC to SFI. A SRINIVAS Advocate [OPUC]
11. One CC to SR. YEMMIGANUR SOMA SRINATH REDDY Advocate [OPUC]
12. Two CCs to GP for Social Welfare, High Court for the State of Telangana at Hyderabad. [OUT]
13. Two CCs to GP for Revenue, High Court for the State of Telangana at Hyderabad. [OUT]
14. Two CD Copies

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HIGH COURT

DATED:10/12/2024



JUDGMENT

WA.No.1377 of 2024

**DISPOSING OF THE WRIT APPEAL
WITHOUT COSTS**

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~~_____~~
10/12/2024