

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN

THURSDAY, THE 13TH DAY OF APRIL 2023 / 23RD CHAITHRA, 1945

WP(C) NO. 34049 OF 2019

PETITIONERS:

- 1 ST.THOMAS BETHEL ORTHODOX SYRIAN CHURCH,
KARIKODE.P.O., VAIKOM, REP. BY ITS VICAR,
FR.ABRAHAM KARAMEL, AGED 53 YEARS, S/O.VARGHESE.
- 2 FR.ABRAHAM KARAMEL
AGED 53 YEARS
S/O.VARGHESE, KARAMEL HOUSE, VICAR, ST.THOMAS BETHEL
ORTHODOX SYRIAN CHURCH, KARIKODE.P.O., VAIKOM.
- 3 M.P.RAJU
AGED 57 YEARS
S/O.POULOSE, KOOAPPILLIL, QUARTERS NO.A48/189, NEWS
PRINT NAGAR, MEVELLOOR, VAIKOM TALUK, KOTTAYAM
DISTRICT.
- 4 K.A.JOHN
AGED 74 YEARS
S/O.ABRAHAM KARAMMEL, KARAMEL HOUSE, KOOVAPPILLIL,
KARIKKODE.P.O., MULAKKULAM VILLAGE, VAIKOM TALUK.

BY ADVS.

S.SREEKUMAR (SR.)
SRI.P.MARTIN JOSE
SRI.P.PRIJITH
SRI.THOMAS P.KURUVILLA
SRI.R.GITESH
SMT.HANI P.NAIR
SRI.AJAY BEN JOSE
SRI.MANJUNATH MENON
SHRI.HARIKRISHNAN S.

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY ITS CHIEF SECRETARY, GOVERNMENT
SECRETARIAT, THIRUVANANTHAPURAM-695001.
- 2 THE DISTRICT COLLECTOR,
KOTTAYAM, KOTTAYAM-KUMILY RD., COLLECTORATE,
KOTTAYAM, KERALA-686001.

- 3 THE STATE POLICE CHIEF,
POLICE HEAD QUARTERS, VAZHUTHACAUD,
THIRUVANANTHAPURAM, KERALA-695010.
- 4 THE DISTRICT POLICE CHIEF,
NEAR KOTTAYAM EAST POLICE STATION, DISTRICT POLICE
OFFICE, KOTTAYAM-KUMILY RD., COLLECTORATE, KOTTAYAM,
KERALA-686002.
- 5 THE ASSISTANT SUPERINTENDENT OF POLICE,
VAIKOM, NEAR VAIKOM BEACH, VAIKOM.P.O.,
KOTTAYAM, PIN-686141.
- 6 THE STATION HOUSE OFFICER,
VELLOOR, KOTTAYAM DISTRICT, PIN-686651.
- 7 JORRY MATHEW,
S/O.MATHEW, AGED 62 YEARS, KARAMMEL HOUSE,
KARIKODE.P.O.,VAIKOM, PIN-686610.
- 8 K.T.MARKOSE,
S/O.THOMMEN, AGED 62 YEARS, KUREEKUNNEL HOUSE,
KARIKODE.P.O., VAIKOM.
- 9 FR.BINU ULAHANNAN,
S/O.ULAHANNAN, AGED 52, KOZHIKKOTT HOUSE,
P.O.OLIYAPURAM, KOOHATTUKULAM, PIN-686662.

BY ADVS.

SRI.ASOK M.CHERIAN, ADDL. ADVOCATE GENERAL
SRI.K.J.KURIACHAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
10.01.2023, THE COURT ON 13.04.2023 DELIVERED THE FOLLOWING:

ANU SIVARAMAN, J.

=====

W.P.(c).No.34049 of 2019

=====

Dated this the 13th day of April, 2023

JUDGMENT

1. This writ petition is filed by the St.Thomas Bethel Orthodox Church, Karikode, Vaikom, Kottayam District represented by its Vicar, the trustees of the church seeking directions to respondents 1 to 6 to afford adequate protection to the life of 2nd petitioner to conduct religious services in the 1st petitioner Church, its cemetery and its chapel and also to the petitioners 3 and 4 and other parishioners of the 1st petitioner church in participating in such religious services without any obstruction, let or hindrance from respondents 7 to 9, their men, agents or followers. A further prayer is made seeking directions to respondents 1 to 6 to act strictly adhering to the decision of the Hon'ble Supreme Court in K.S. Varghese's case ensuring that no priests or prelates appointed otherwise than in accordance with Malankara Orthodox Church Constitution of 1934 conduct any sacraments including Holy Mass in the 1st petitioner Church, its chapel, cemetery or any other appurtenant buildings thereto.

2.I have heard Sri.S. Sreekumar, the learned Senior Counsel appearing for the petitioners as instructed by Sri.P.Martin Jose and Sri.Asok M. Cherian, the learned Additional Advocate General as well as Sri.K.J Kuriachan, the learned counsel appearing for 7th respondent.

3.It is submitted by the learned Senior Counsel appearing for the petitioners that the 1st petitioner Church is one of the constituent churches of the Malankara Orthodox Syrian Church governed and administered under the 1934 constitution and is included as Serial No.651 in the list of 1064 churches under the Sabha, attached to O.S.No.4/1979. It is submitted that 1st petitioner is represented by the 2nd petitioner, the Vicar of the church and that the 3rd and 4th petitioners are the trustees of the church. It is submitted that respondents 7 to 9 are the members of the Jacobite faction who disassociated from the Malankara Church and formed a new Sabha called the Yacobaya Sriyani Christiani Sabha and is governed by the 2002 Constitution adopted by them. It is submitted that by Ext.P1 Kalpana the 1st petitioner church was included within Diocese of Kadanad East under the jurisdiction of H.G Dr. Thomas Mar Athanasius, the Diocesan

Metropolitan and by Ext.P4 Kalpana the 2nd petitioner was appointed as the vicar of the 1st petitioner Church. It is also contended that the 9th respondent was appointed by the Metropolitan faction and he claims to be a priest of the Patriarch faction.

4. It is stated that a suit was filed as O.S.No.12/2022 under Order I Rule 8 before the Additional District Court, Ernakulam which was decreed by Ext. P3 and that an R.F.A was also filed against the said judgement as R.F.A.No.99 of 2019. However, in the meanwhile the decision in **K.S. Varghese v. St. Peter's & Paul's Syrian Orthodox Church and others** [(2017) 15 SCC 333] had been rendered by the Apex Court.

5. It is submitted that after Ext.P3 judgment respondents 7 to 9, who are not parishioners of 1st petitioner church have been obstructing the 2nd petitioner in conducting religious services and the parishioners from conducting religious services. It is submitted that respondents were sitting inside the church, locking the gate and thereby physically preventing the members of the Malankara church from enjoying the benefits of Exhibit P3

judgment. Since 2nd petitioner is the lawfully appointed Vicar as per the 1934 Constitution, he is entitled to, to discharge his duties as such. However, respondents 7 to 9 and their men forcefully prevented 2nd petitioner from entering the Church and performing his duties. When there were continuing obstructions from respondents 7 to 9, the petitioners had approached the police seeking necessary assistance for effectuating the decree of the Apex Court, but no steps were taken on the same. It is contended by the learned Senior Counsel for the petitioners that the police are duty bound to afford adequate assistance to see that the directions of the Apex Court are complied with in full and that the refusal to do so is completely inexcusable.

6. The learned Senior Counsel appearing for the petitioner took me through the history of the disputes between the rival factions in the Malankara Church and traced the litigation between the parties from the early days of the dispute till the present time when orders of police protection have been granted to implement the judgment of the Apex Court in **K.S.Varghese (supra)**.

7. The learned counsel places specific reliance on the judgments

granting such reliefs after the declaratory judgment of the Apex Court. Some of the decisions cited are **St.Mary's Orthodox Church v. The State Police Chief** [2019 (3) KLT 419 SC], **Fr.Issac Mattammel Cor-Episcopa v,. St.Mary's Orthodox Syrian Church and others** [2019 (4) KHC 868], **Marthoman Church, Mulanthuruthy and others v. State of Kerala and others** [2020 (3) KHC 448], **Varghese K.S. v. St. Peter's & Paul's Syrian Orthodox Church and others** [2020 (4)KHC 454] and **Fr.A.V.Varghese v. State of Kerala** [2021 (5) KLT 14].

8. Respondents 7 and 8 have filed a counter affidavit contending that they are the elected trustees of the 1st petitioner church and that the demand put forward by the 2nd petitioner is against the spirit of the Supreme Court judgment, since the 2nd petitioner is proposing to evict the parishioners who uphold faith that Patriarch is the supreme head of the Universal Orthodox Syrian and Malankara church is a division on the same. It is also submitted that parishioners of the 1st petitioner church including the respondents 7 and 8 have not disassociated from the 1st petitioner church and that the respondents are not clamouring for parallel administration. It is further contended that an order

of police protection cannot be passed in a case of this nature where even the identity of the church is in dispute.

9. The learned Additional Advocate General submits that in the facts of this case, it appears that the Jacobite faction is presently in possession of the Church and that religious services are also being carried out in the Church. It is submitted that the police and the state administration are fully bound by the decisions of the Apex Court in **K.S. Varghese v. St. Peter's & Paul's Syrian Orthodox Church and others**. However, it is contended that at present, there is no breach of peace and that the assistance as required by the petitioners may lead to a breach of peace which is the reason why the same has not been enforced till date.

10. Having considered the contentions advanced, it is pertinent to note the nature and content of the judgment rendered by the Apex Court in K.S.Varghese's case (cited supra). The Apex Court was considering three civil appeals arising in respect of constituent churches under the Malankara Church. After considering the entire gamut of arguments raised and after hearing the parties concerned, the Apex Court laid down the

principles of law and encapsulated them in the directions as contained in paragraph No.184 of the judgment which reads as follows:-

"184. Resultantly, based on the aforesaid findings in the judgment, our main conclusions, inter alia, are as follows :

(i) Malankara Church is Episcopal in character to the extent it is so declared in the 1934 Constitution. The 1934 Constitution fully governs the affairs of the Parish Churches and shall prevail.

(ii) The decree in the 1995 judgment is completely in tune with the judgment. There is no conflict between the judgment and the decree.

(iii) The 1995 judgment arising out of the representative suit is binding and operates as res judicata with respect to the matters it has decided, in the wake of provisions of Order I Rule 8 and Explanation 6 to S.11 CPC. The same binds not only the parties named in the suit but all those who have interest in the Malankara Church. Findings in earlier representative suit, i.e., Samudayam suit are also binding on Parish Churches/Parishioners to the extent issues have been decided.

(iv) As the 1934 Constitution is valid and binding upon the Parish Churches, it is not open to any individual Church, to decide to have their new Constitution like that of 2002 in the so-called exercise of right under Articles 25 and 26 of the Constitution of India. It is also not permissible to create a parallel system of management in the churches under the guise of spiritual supremacy of the Patriarch.

(v) The Primate of Orthodox Syrian Church of the East is Catholicos. He enjoys spiritual powers as well, as the Malankara Metropolitan. Malankara Metropolitan has the prime jurisdiction regarding temporal, ecclesiastical and spiritual administration of Malankara Church subject to the riders provided in the 1934 Constitution.

(vi) Full effect has to be given to the finding that the spiritual power of

the Patriarch has reached to a vanishing point. Consequently, he cannot interfere in the governance of Parish Churches by appointing Vicar, Priests, Deacons, Prelates (High Priests) etc. and thereby cannot create a parallel system of administration. The appointment has to be made as per the power conferred under the 1934 Constitution on the concerned Diocese, Metropolitan etc.

(vii) Though it is open to the individual member to leave a Church in exercise of the right not to be a member of any Association and as per Article 20 of the Universal Declaration of Human Rights, the Parish Assembly of the Church by majority or otherwise cannot decide to move church out of the Malankara Church. Once a trust, is always a trust.

(viii) When the Church has been created and is for the benefit of the beneficiaries, it is not open for the beneficiaries, even by a majority, to usurp its property or management. The Malankara Church is in the form of a trust in which, its properties have vested. As per the 1934 Constitution, the Parishioners though may individually leave the Church, they are not permitted to take the movable or immovable properties out of the ambit of 1934 Constitution without the approval of the Church hierarchy

(ix) The spiritual power of Patriarch has been set up by the appellants clearly in order to violate the mandate of the 1995 judgment of this Court which is binding on the Patriarch, Catholicos and all concerned.

(x) As per the historical background and the practices which have been noted, the Patriarch is not to exercise the power to appoint Vicar, Priests, Deacons, Prelates etc. Such powers are reserved to other authorities in the Church hierarchy. The Patriarch, thus, cannot be permitted to exercise the power in violation of the 1934 Constitution to create a parallel system of administration of Churches as done in 2002 and onwards.

(xi) This Court has held in 1995 that the unilateral exercise of such power by the Patriarch was illegal. The said decision has also been violated. It

was only in the alternative this Court held in the 1995 judgment that even if he has such power, he could not have exercised the same unilaterally which we have explained in this judgment.

(xii) It is open to the Parishioners to believe in the spiritual supremacy of Patriarch or apostolic succession but it cannot be used to appoint Vicars, Priests, Deacons, Prelates etc., in contravention of the 1934 Constitution.

(xiii) Malankara Church is Episcopal to the extent as provided in the 1934 Constitution, and the right is possessed by the Diocese to settle all internal matters and elect their own Bishops in terms of the said Constitution.

(xiv) Appointment of Vicar is a secular matter. There is no violation of any of the rights encompassed under Articles 25 and 26 of the Constitution of India, if the appointment of Vicar, Priests, Deacons, Prelates (High Priests) etc., is made as per the 1934 Constitution. The Patriarch has no power to interfere in such matters under the guise of spiritual supremacy unless the 1934 Constitution is amended in accordance with law. The same is binding on all concerned.

(xv) Udampadis do not provide for appointment of Vicar, Priests, Deacons, Prelates etc. Even otherwise once the 1934 Constitution has been adopted, the appointment of Vicar, Priests, Deacons, Prelates (high priests) etc., is to be as per the 1934 Constitution. It is not within the domain of the spiritual right of the Patriarch to appoint Vicar, Priests etc. The spiritual power also vests in the other functionaries of Malankara Church.

(xvi) The functioning of the Church is based upon the division of responsibilities at various levels and cannot be usurped by a single individual howsoever high he may be. The division of powers under the 1934 Constitution is for the purpose of effective management of the Church and does not militate against the basic character of the church being Episcopal in nature as mandated thereby. The 1934 Constitution

cannot be construed to be opposed to the concept of spiritual supremacy of the Patriarch of Antioch. It cannot as well, be said to be an instrument of injustice or vehicle of oppression on the Parishioners who believe in the spiritual supremacy of the Patriarch.

(xvii) The Church and the Cemetery cannot be confiscated by anybody. It has to remain with the Parishioners as per the customary rights and nobody can be deprived of the right to enjoy the same as a Parishioner in the Church or to be buried honourably in the cemetery, in case he continues to have faith in the Malankara Church. The property of the Malankara Church in which is also vested the property of the Parish Churches, would remain in trust as it has for the time immemorial for the sake of the beneficiaries and no one can claim to be owners thereof even by majority and usurp the Church and the properties.

(xviii) The faith of Church is unnecessarily sought to be divided vis-a-vis the office of Catholicos and the Patriarch as the common faith of the Church is in Jesus Christ. In fact an effort is being made to take over the management and other powers by raising such disputes as to supremacy of Patriarch or Catholicos to gain control of temporal matters under the garb of spirituality. There is no good or genuine cause for disputes which have been raised.

(xix) The authority of Patriarch had never extended to the government of temporalities of the Churches. By questioning the action of the Patriarch and his undue interference in the administration of Churches in violation of the 1995 judgment, it cannot be said that the Catholicos faction is guilty of repudiating the spiritual supremacy of the Patriarch. The Patriarch faction is to be blamed for the situation which has been created post 1995 judgment. The property of the Church is to be managed as per the 1934 Constitution. The judgment of 1995 has not been respected by the Patriarch faction which was binding on all concerned. Filing of Writ Petitions in the High Court by the Catholicos faction was to deter the

Patriarch/his representatives to appoint the Vicar etc., in violation of the 1995 judgment of this Court.

(xx) The 1934 Constitution is enforceable at present and the plea of its frustration or breach is not available to the Patriarch faction. Once there is Malankara Church, it has to remain as such including the property. No group or denomination by majority or otherwise can take away the management or the property as that would virtually tantamount to illegal interference in the management and illegal usurpation of its properties. It is not open to the beneficiaries even by majority to change the nature of the Church, its property and management. The only method to change management is to amend the Constitution of 1934 in accordance with law. It is not open to the Parish Churches to even frame bye-laws in violation of the provisions of the 1934 Constitution.

(xxi) The Udampadies of 1890 and 1913 are with respect to administration of Churches and are not documents of the creation of the Trust and are not of utility at present and even otherwise cannot hold the field containing provisions inconsistent with the 1934 Constitution, as per S.132 thereof. The Udampady also cannot hold the field in view of the authoritative pronouncements made by this Court in the earlier judgments as to the binding nature of the 1934 Constitution.

(xxii) The 1934 Constitution does not create, declare, assign, limit or extinguish, whether in present or future any right, title or interest, whether vested or contingent in the Malankara Church properties and only provides a system of administration and as such is not required to be registered. In any case, the Udampadis for the reasons already cited, cannot supersede the 1934 Constitution only because these are claimed to be registered.

(xxiii) In otherwise Episcopal church, whatever autonomy is provided in the Constitution for the Churches is for management and necessary expenditure as provided in S.22 etc.

(xxiv) The formation of 2002 Constitution is the result of illegal and void exercise. It cannot be recognized and the parallel system created thereunder for administration of Parish Churches of Malankara Church cannot hold the field. It has to be administered under the 1934 Constitution.

(xxv) It was not necessary, after amendment of the plaint in Mannathur Church matter, to adopt the procedure once again of representative suit under Order I Rule 8 C.P.C. It remained a representative suit and proper procedure has been followed. It was not necessary to obtain fresh leave.

(xxvi) The 1934 Constitution is appropriate and adequate for management of the Parish Churches, as such there is no necessity of framing a scheme under S.92 of the C.P.C.

(xxvii) The plea that in face of the prevailing dissension between the two factions and the remote possibility of reconciliation, the religious services may be permitted to be conducted by two Vicars of each faith cannot be accepted as that would amount to patronizing parallel systems of administration.

(xxviii) Both the factions, for the sake of the sacred religion they profess and to preempt further bickering and unpleasantness precipitating avoidable institutional degeneration, ought to resolve their differences if any, on a common platform if necessary by amending the Constitution further in accordance with law, but by no means, any attempt to create parallel systems of administration of the same Churches resulting in law and order situations leading to even closure of the Churches can be accepted".

11. Thereafter, in **St. Mary's Orthodox Church v. The State Police Chief** [2019 (3) KLT 419 SC], the Apex Court after referring to the judgment in **K.S. Varghese** (cited supra) held as follows:

“There cannot be any violation of the order by any one concerned. Even the State Government cannot act contrary to the judgment and the observations made by this Court and has the duty to ensure that the judgment of the court is implemented forthwith.

Any observation made by the High Court contrary to the judgment passed by this Court stands diluted.

The State and all parties shall abide by the judgment passed by this Court in totality and cannot solve the matter in any manner different than the judgment passed by this court. No parallel system can be created.”

12. Therefore, it is clear that in so far as the constituent parish churches of the Malankara Church are concerned, all questions stand settled by the judgment of the Apex Court. A *judgment in rem* means and includes a declaratory judgment of the status of some subject matter. The judgment is conclusive in respect of the case or class of cases to which it is made applicable in general. “An act or proceeding is in rem when it is done or directed regarding no specific persons and consequently against or concerning all whom it might concern or all the world” (P. Ramanatha Aiyar's Advanced Law Lexicon dictionary).

13. It is, therefore, clear that in so far as the constituent parish churches are concerned, the judgment of the Apex Court in **K.S. Varghese** (cited supra) is a *judgment in rem*. This is amply clarified by the Apex Court in its later judgments and orders including in

St.Mary's Orthodox v. State Police Chief (cited supra).

14.The further contention raised by the contesting party respondents that the church in question is not a constituent church also cannot be accepted in view of the fact that the St.Thomas Bethel Orthodox Church, Karikode, Vaikom is admittedly a constituent church. The contentions of the respondents are to the effect that there has been an ordaining of priests and prelates in pursuance to the 1995 Constitution and that the church has, therefore, become a Jacobite church. These aspects of the matter have been given a quietus by the Apex Court. In later SLPs also, the Apex Court has specifically held that all courts and authorities are to act in terms of the judgment in **K.S.Varghese**.

15.The Apex Court had specifically directed that all the parish churches of the Malankara Church shall be governed by the directions and the decree of the Apex Court. Such declaration is binding on all courts within the territory of India. The contention that, even if that be so, the decree of the Apex Court can be enforced only through execution proceedings under Order XLV of the CPC is also an untenable contention. The petitioners have established that the church in question is a constituent church of

the Malankara Church. In the said view of the matter, the church would be governed by the directions of the Apex Court in **K.S. Varghese**. The State and its machinery is duty bound to afford all necessary assistance for the enforcement of the said decree in terms of Articles 142(1) and 144 of the Constitution of India.

16. In the above factual situation, the contention of the respondents that there has to be a decree drawn up separately in respect of the separate constituent churches and that the decree has to be executed separately is completely unacceptable. This Court in **Mar Miletius Yuhanon v. Mar Thomas Dionysious & Ors.** [2020 (4) KHC 14] and in **Marthoman Church, Mulanthuruthy & Ors. v. State of Kerala & Ors.** [2020 (3) KHC 448] had considered the question and has held that it is the duty of the police to see that law and order is maintained and that the directions of the Apex Court are given full effect to. It was held that if there is any illegal obstruction to the execution of the decree or the binding directions of the Apex Court, police assistance can be ordered. Where the Apex Court has specifically declared the law and has held that the law laid down is applicable to all constituent churches under the Malankara Orthodox Church, the respondents cannot be heard to raise contentions against the findings already rendered by

the Apex Court.

17. It is true that in a case where there are *bona fide* disputes with regard to the nature and identity of the property involved, this Court would not be justified in directing police protection to be granted or in attempting to resolve such *bona fide* disputes in proceedings under Article 226. However, when the objections raised are only for the purpose of frustrating the proper enforcement of binding orders of the Apex Court, this Court would not be powerless to pass appropriate orders to see that the directions of the Apex Court are complied with by all concerned. It is true that in a case where there are *bona fide* disputes with regard to the nature and identity of the property involved, this Court would not be justified in directing police protection to be granted or in attempting to resolve such *bona fide* disputes in proceedings under Article 226. However, when the objections raised are only for the purpose of frustrating the proper enforcement of binding orders of the Apex Court, this Court would not be powerless to pass appropriate orders to see that the directions of the Apex Court are complied with by all concerned.

18. The contention that a contempt petition is pending before the Apex Court is also completely untenable, since the filing of a

contempt of court case by some other beneficiaries of the judgment cannot be a ground for the contesting respondents to contend that they will not comply with the directions contained in the judgment. The said contention has also been considered and rejected by this Court in judgment dated 18.05.2020 in W.P.(C) No.4071/2020.

19.I find from the pleadings on record that the party respondents are only attempting to delay the matter and that they have not raised any sustainable contentions which can be considered by this Court in these proceedings.

20.In the above view of the matter, the official respondents can, by no stretch of imagination, contend that they are powerless to implement the directions of the Apex Court. Suffice it to say that they are duty bound to do so.

21.In the result, this writ petition is allowed. There will be a direction to respondents 1 to 6 to afford adequate protection to the life of 2nd petitioner to conduct religious services in the 1st petitioner Church, its cemetery and its chapel and also to the petitioners 3 and 4 and other parishioners of the 1st petitioner church in participating in such religious services without any obstruction,

let or hindrance from respondents 7 to 9, their men, agents or followers. Necessary shall be done within a period of two months from date of receipt of a copy of this judgment.

sd/-

Anu Sivaraman, Judge

sj

APPENDIX OF WP(C) 34049/2019

PETITIONERS' EXHIBITS

- EXHIBIT P1 TRUE COPY OF THE MINUTES OF THE MANAGING COMMITTEE HELD ON 9TH AND 10TH AUGUST, 2002.
- EXHIBIT P2 TRUE COPY OF KALPANA NO.134 OF 2002 DATED 12.8.2002.
- EXHIBIT P3 TRUE COPY OF JUDGMENT IN O.S.NO.12 OF 2002 DATED 18.2.2019 OF 1ST ADDITIONAL DISTRICT COURT, ERNAKULAM.
- EXHIBIT P4 TRUE COPY OF KALPANA NO.22/2002 DATED 17.8.2002.
- EXHIBIT P5 TRUE COPY OF REPRESENTATION DATED 1.3.2019 SUBMITTED BY THE 2ND PETITIONER BEFORE THE RESPONDENTS 1 TO 6.
- EXHIBIT P6 TRUE COPY OF REPRESENTATION DATED 12.7.2019 SUBMITTED BY THE 2ND PETITIONER BEFORE THE OFFICIAL RESPONDENTS 2 TO 6.
- EXHIBIT P7 TRUE COPY OF REPRESENTATION DATED 19.10.2019 SUBMITTED BY THE PETITIONERS BEFORE THE 2ND RESPONDENT.
- EXHIBIT P8 TRUE COPY OF JUDGMENT DATED 20.9.2019 IN WPC.NO.10727 OF 2019 OF THIS HON'BLE COURT.
- EXHIBIT P9 TRUE COPY OF JUDGMENT DATED 3.12.2019 IN WPC.NO.25089 OF 2019 OF THIS HON'BLE COURT.
- EXHIBIT P10 TRUE COPY OF COVERING LETTER DATED 18.01.2020.
- EXHIBIT P11 TRUE COPY OF NOTICE PUBLISHED BY RESPONDENTS 7 TO 9
- EXHIBIT P12 TRUE COPY OF PETITIONER DATED 31.01.2020 SUBMITTED BEFORE THE RESPONDENTS 1 TO 6.

- EXHIBIT P13 TRUE COPY OF NEWS REPORTED IN MALAYALA
MANORAMA DAILY DATED 29.01.2020.
- EXHIBIT P14 TRUE COPY OF PHOTOGRAPH SHOWING POLICE BROKE
OPEN THE LOCK OF THE GATE
- EXHIBIT P15 TRUE COPY OF PHOTOGRAPH SHOWING 9TH RESPONDENT
ALONG WITH OTHERS CAME OUT OF THE CHURCH
- EXHIBIT P16 TRUE COPY OF PETITION DATED 09.02.2020
SUBMITTED BY THE 2ND PETITIONER TO THE 6TH
RESPONDENT
- EXHIBIT P17 TRUE COPY OF PETITION DATED 09.02.2020
SUBMITTED BY THE 2ND PETITIONER BEFORE THE 6TH
RESPONDENT
- EXHIBIT P18 TRUE COPY OF PETITION DATED 12.02.2020
SUBMITTED BY THE 2ND PETITIONER BEFORE THE 4TH
RESPONDENT
- EXHIBIT P19 TRUE COPY OF PETITION DATED 16.02.2020
SUBMITTED BY THE 2ND PETITIONER BEFORE THE
RESPONDENTS 4 TO 6
- EXHIBIT P20 TRUE COPY OF ENGLISH VERSION OF 1934
CONSTITUTION PUBLISHED BY THE MALANKARA CHURCH
AMENDED UPTO 2011
- EXHIBIT P21 TRUE COPY OF PETITION DATED 05.07.2020
SUBMITTED BY THE PETITIONER BEFORE THE
RESPONDENTS 2, 4, 5 AND 6 THROUGH EMAIL
- EXHIBIT P22 TRUE COPY OF PETITION DATED 19.07.2020
SUBMITTED BY THE 2ND PETITIONER BEFORE THE 6TH
RESPONDENT
- EXHIBIT P23 TRUE COPY OF MEMORANDUM AND BYE-LAWS DATED
27.02.2020 OF THE MOR ELIAS CHRISTIAN
CHARITABLE SOCIETY OBTAINED UNDER RIGHT TO
INFORMATION ACT
- EXHIBIT P24 TRUE COPY OF KALPANA NO.62/2020 DATED
30.12.2020 ISSUED BY THE DIOCESAN METROPOLITAN

EXHIBIT P25 TRUE COPY OF NOTICE DATED 18.01.2021 PUBLISHED
BY THE PETITIONERS

EXHIBIT P26 TRUE COPY OF NOTICE DATED 10.01.2021 PUBLISHED
BY THE CONTESTING RESPONDENTS IN THE NAME OF
FR.BINU SKARIAH KOZHICKOTT

RESPONDENTS' EXHIBITS

EXHIBIT R7(A) TRUE COPY OF RFA NO.99/2019 FILED BEFORE THIS
HON'BLE COURT CHALLENGING EXT.P3 JUDGMENT.

ANNEXURE A1 A TRUE COPY OF NOTICE ISSUED BY ADVOCATE
COMMISSIONER DATED 18.07.2020.

ANNEXURE A2 A ROUGH SKETCH DRAWN BY ME WITH REGARDS TO
CHURCH AND OTHER BUILDINGS LOCATED IN THE SAID
PREMISES.