



APOSTOLIC NUNCIATURE  
IN INDIA

New Delhi, 2 November 2024

N. 7817/24/IN

Your Beatitude,

With Letter, Prot. N. 144/2023, dated 25 October 2024, His Eminence, Cardinal Claudio Gugerotti, Prefect of the Dicastery for the Eastern Churches, has requested this Apostolic Nunciature to convey to you the following information.

As you are aware, some priests of the Archeparchy of Ernakulam - Angamaly presented a petition against the Circular Letter, of 9 June 2024 applying to the same Archeparchy.

In this regard, after careful consideration of the matter, the Dicastery for the Eastern Churches has made the following observations.

The Circular Letter recalls the duty for all the Syro-Malabar faithful to comply with the resolutions of the Syro-Malabar Synod, maintained by the Holy Father, regarding the celebration of the Divine Liturgy and to rectify any relevant abuses (cf. Can 82 §§ 1 and 2 of CCEO).

In particular, number 2 of the Circular Letter specifies that disobedience of abovesaid resolutions entails excommunication, similar to that provided for schism (cf. Can. 1437 of CCEO).

Furthermore, Can. 1446 of CCEO states that disobedience towards the Hierarchy - a term that in the understanding of Can. 984 §1 of CCEO, includes the Holy Father, the Patriarch, the Major Archbishop, the Metropolitan who presides over the Metropolitan Church *sui iuris*, the Eparchial Bishop and those who, by law, are equivalent to them - is punishable by an indeterminate penalty.

In this regard, number 2 of the Circular Letter applies Can. 1446 of CCEO, stipulating major excommunication as the established penalty for the

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His Beatitude

**Most Rev. Raphael THATTIL**

Major Archbishop of Ernakulam-Angamaly

The Syro-Malabar Major Archiepiscopal Curia

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crime of disobedience (cf. Can. 1405 § 2 of CCEO). Moreover, it provides for a specific norm that prescribes the same penalty of excommunication for those who disobey the Synod of Bishops (cf. Can. 1405 § 1 CCEO).

According to the common law, the Major Archbishop, endowed with legislative power in his own Archeparchy, has the authority:

- to promulgate particular penal norms,
- to incorporate an appropriate penalty with an ecclesiastical norm issued by a superior authority, and
- to establish a determined and obligatory penalty in cases where the common law provides for an indeterminate and optional penalty (cf. Can. 1405 § 1 and 2 CCEO).

In the light of all the abovesaid, the Dicastery for the Eastern Churches considers that the obligations, contained in the above said Circular Letter, are fully in conformity with ecclesiastical penal law.

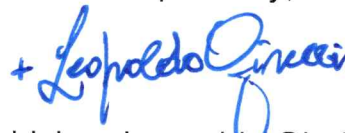
Besides, the petition presented by some priests against the Circular Letter cannot be considered as an *appeal*, since the Circular Letter doesn't constitute the form of a criminal precept, which must be specific and aimed at single individuals, never collective.

For these reasons, the said petition cannot be taken into consideration, as it is not addressed to a concrete and individual subject.

Your Beatitude, you are kindly requested to communicate the above to the complainants.

Thanking you for your precious collaboration, with my deepest regards, I remain,

Yours respectfully,



Archbishop Leopoldo Girelli  
Apostolic Nuncio