

Injunction freezes sale of Melkonian

THE CAMPAIGN to save the historical Melkonian school got a timely boost from the Nicosia District Court that has ruled in favour of a permanent injunction order on the property.

The outcome of the proceedings in the Cyprus Courts is independent of another action filed in the California Federal Courts seeking to force the US-based AGBU, administrators of the Melkonian Educational Institute, to overturn its decision to close the high school in Nicosia.

The injunction application filed on August 23, 2005, sought an order “prohibiting the defendants (AGBU) from selling, charging, alienating, or changing in any way the use of the immovable property, and/or any part of it, or from using the immovable property for any purpose other the premises of the Melkonian School.”

According to a statement issued by lawyers Christina Sarris, Aleccos Markides and Costas Velaris representing the Patriarch of Istanbul, Archbishop Mesrob Mutafyan, who claims sole inheritance as original trustee of the 1926 document establishing the school, “the injunction was issued and served immediately on the defendants.”

“The defendants’ lawyers then appeared in Court and objected to the issuance of the injunction and filed all relevant pleading into Court submitting reasons why the injunction should be cancelled. We proceeded to a hearing of the matter [on December 20, 2005] with both sides making their submission to the Court.

“Finally, on the 3rd of February, the judge came back with a ruling confirming its original decision and thus ruling that the Injunction issued per our application on the 8th of August 2005, was rightfully issued and will stay in force until and final determination of the main action.”

“We feel vindicated and hope that justice will prevail,” said a spokesman for the Melkonian Alumni and Friends of California and the Melkonian Alumni Association of Cyprus, representing some 2200 students and graduates of the 80-year-old school.

“This is a permanent injunction order that will at least prevent the administrators from selling the property, which was their intention in the first place.”

“We will now work to overturn the AGBU’s unilateral decision to close the Melkonian that was based on unfounded reports of failing academic standards, while we know that the real problem is financial mismanagement that has plagued the school and a cover-up conspiracy by the AGBU,” he added.

Archbishop Moutafyan is the main plaintiff in the campaign to help save the school, the only Armenian secondary boarding school in the enlarged European Union that accounted for half its student body.

He said in a recent statement that he would like to see an independent body, headed by the worldwide alumni, to administer the school in the future, while if all court cases ended in failure he would even resort to the European Court of Justice.

One safeguard that will act as a catalyst to save the school is a preservation order slapped on 60 per cent of the Melkonian estate by the Ministry of Interior in April 2004, having designated the school's landmark forest along Limassol Avenue, as well as the main buildings as having "unique cultural, historical and architectural value."

The school closed its doors last September, despite pleas by the House of Representatives to keep it open and pledges by the Ministry of Education to support it financially.

[Photo of Archbishop Mesrob Moutafyan]

Caption: "Lawyers were acting on behalf of the Armenian Patriarch"