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CRP No. 294 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-01-2026

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THE HON'BLE MR.JUSTICE S. SOUNTHAR

CRP No. 294 of 2026 and

CMP No.1553 of 2026

Manimaran S, S/O. V.Seeni,
Member of SBI Officers Associatiion (Chennai
Circle), W-17, North Main Road,
Annanagar West Extension, Chennai - 600101.

..Petitioner(s)

Vs

1. The Registrar of Trade Union
Labour Department, DMs Complex,
Teynampet, Chennai - 600018.
2. The Chairman, Election Committee,
SBI Officers Association (Chennai Circle),
State Bank Buildings, No.86, Rajaji Salai,
4th Floor, SBI Administrative Office Buildings,
Chennai South Parrys Corner,
Chennai 600001.



3. The General Secretary (Representing)
SBI Officers Association (Chennai Circle),
State Bank Buildings, No.86, Rajaji Salai,
4th Floor, SBI Administrative Office Buildings,
Chennai South, Parrys Corner, Chennai 600001.
4. Senthil Ramesh, General Secretary,
SBI Officers Association (Chennai Circle),
State Bank Buildings, No.86, Rajaji Salai,
4th Floor, SBI Administrative Office Buildings,
Chennai South, Parrys Corner, Chennai 600001.
5. Nithish Andreyya Raja Singh R DR
President, SBI Officers Association (Chennai
Circle), State Bank Buildings, No.86, Rajaji Salai,
4th Floor, SBI Administrative Office Buildings,
Chennai South, Parrys Corner, Chennai 600001.
6. Lazer Jeya Prakash C, Vice President,
SBI Officers Association (Chennai Circle),
State Bank Buildings, No.86, Rajaji Salai,
4th Floor, SBI Administrative Office Buildings,
Chennai South, Parrys Corner, Chennai 600001.
7. Prakash S, Treasurer,
SBI Officers Association (Chennai Circle),
State Bank Buildings, No.86, Rajaji Salai,



4th Floor, SBI Administrative Office Buildings,
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8. Akila S, Deputy General Secretary
SBI Officers Association (Chennai Circle),
State Bank Buildings, No.86, Rajaji Salai,
4th Floor, SBI Administrative Office Buildings,
Chennai South, Parrys Corner, Chennai 600001.
9. Anbarasu R, Deputy General Secretary,
SBI Officers Association (Chennai Circle),
State Bank Buildings, No.86, Rajaji Salai,
4th Floor, SBI Administrative Office Buildings,
Chennai South, Parrys Corner, Chennai 600001.
10. Jaya Vasantha Kumaran S
Deputy General Secretary,
SBI Officers Association (Chennai Circle),
State Bank Buildings, No.86, Rajaji Salai,
4th Floor, SBI Administrative Office Buildings,
Chennai South, Parrys Corner, Chennai 600001.
11. Praveen C, Deputy General Secretary,
SBI Officers Association (Chennai Circle),
State Bank Buildings, No.86, Rajaji Salai,
4th Floor, SBI Administrative Office Buildings,
Chennai South, Parrys Corner, Chennai 600001.



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12.Saravanaraja V, Deputy General Secretary,
SBI Officers Association (Chennai Circle),
State Bank Buildings, No.86, Rajaji Salai,
4th Floor, SBI Administrative Office Buildings,
Chennai South, Parrys Corner, Chennai 600001.

13.Ravi Kumar S, Deputy Treasurer,
SBI Officers Association (Chennai Circle),
State Bank Buildings, No.86, Rajaji Salai,
4th Floor, SBI Administrative Office Buildings,
Chennai South, Parrys Corner, Chennai 600001.

14.Vimala Devi G M, Deputy Treasurer,
SBI Officers Association (Chennai Circle),
State Bank Buildings, No.86, Rajaji Salai,
4th Floor, SBI Administrative Office Buildings,
Chennai South, Parrys Corner, Chennai 600001.

..Respondent(s)

Prayer: Civil Revision Petition filed under Article 227 of Constitution of India to set aside the Order and Decretal Order dated 11.11.2025 made in I.A.No.4 of 2024 in O.S.No.4447 of 2024 pending on the file of XXII Assistant City Civil Court at Chennai by allowing this Civil Revision Petition.

For Petitioner(s): Mr. S.Sivashanmugam

ORDER



This Civil Revision Petition is filed, challenging the order passed by the Trial Court, dismissing the application filed by the petitioner, seeking appointment of Advocate Commissioner for the purpose of recounting the ballots papers.

2. The petitioner herein/plaintiff filed a suit in O.S.No.4447 of 2024 seeking declaration that the results of 11 circle office bearer posts by the 2nd defendant on 02.05.2024 in the elections held to the 3rd defendant association was illegal and not binding on the plaintiff. He also sought for permanent injunctions restraining the defendants 4 to 14 from holding any E.C. meeting and taking any policy decision and restraining them from continuing as the circle office bearers of the 3rd defendant association. When the suit was pending, the petitioner filed the instant application seeking recounting of ballots paper by appointing an Advocate Commissioner. The said application was dismissed by the Trial Court. Aggrieved by the same, the petitioner has come before this court.

3. The learned counsel for the petitioner by taking this court to Paragraph No.17 of the affidavit filed in support of the application submits that at the time of counting of ballot papers, there were lot of irregularities. Therefore, the petitioner was constrained to file the present suit seeking declaration that the election results were null and void. The learned counsel for the petitioner



further submits that in order to prove the allegations made by the petitioner, an Advocate Commissioner shall be appointed for recounting the ballot papers.

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4. In the instant application, by raising various irregularities, the petitioner/ plaintiff sought for recounting of ballot papers. The petitioner, first of all, should satisfy the court with regard to the alleged irregularities by leading evidence at the time of trial. If the court is satisfied with the irregularities alleged by the petitioner, it can take a decision with regard to the necessity for recounting of the ballot papers. Therefore, at this stage, the petitioner is not entitled to seek appointment of Advocate Commissioner seeking recounting of ballot papers. The Trial Court rightly observed in the impugned order that the allegation of irregularities made by the petitioner shall be decided based on the oral and documentary evidence and hence, without full-fledged trial, the prayer sought for by the petitioner cannot be considered. I do not find any error in the order passed by the Trial Court.

5. Accordingly, this civil revision petition is dismissed. There shall be no order as to costs. Connected miscellaneous petition is closed.

27-01-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To
The XXII Assistant Judge,
City Civil Court, Chennai.



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S.SOUNTHAR, J.

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