

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:12.06.2015

CORAM :

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

C.S. NO. 547 OF 2011
and
A.No. 1070 of 2014

- 1 K.RAMA RAO
S/O.ZAMINDAR K.APPA RAO
APPA RAO GARDENS
NO.226 SYDENHAMS ROAD
CHOO LAI CHENNAI-112.
- 2 K.LAKSHMAN RAO
S/O.ZAMINDAR K.APPA RAO
APPA RAO GARDENS
NO.226 SYDENHAMS ROAD
CHOO LAI CHENNAI-112.
- 3 KARUR VASUDEVAN
S/O.K.RAMAKRISHNA CHETTY
NO.154 ANNA PILLAI STREET
CHENNAI-1.

... Plaintiffs

.. Vs ..

- 1 SOUTHERN INDIA VYSYA ASSOCIATION
REP. BY ITS JOINT SECY
MR.G.P.V.SUBBA RAO
NO.63 GODOWN STREET
CHENNAI-1.
- 2 M.V.NARAYANA GUPTA
S/O.MEDDA VENKATASUBBIAH
PRESIDENT SOUTHERN
INDIA VYSYA ASSOCIATION
NO.63 GODOWN STREET
CHENNAI-1.

- 3 G.CHANDRA SEKAR
S/O.G.VENKATESWARLU
JOINT SECRETARY
SOUTHERN INDIA VYSYA ASSOCIATION
NO.63 GODOWN STREET
CHENNAI-1.
- 4 G.P.V.SUBBA RAO
S/O.G.P.CHETTY JOINT SECRETARY
SOUTHERN INDIA VYSYA ASSOCIATION
NO.63 GODOWN STREET
CHENNAI-1.

... Defendants

The Civil suit filed under Order IV Rule 1 of O.S. Rules r/w. Order VII Rule 1 of C.P.C., to declare the action of the second defendant in issuing the letter dated 04.08.2011 filed as Document Nos. 5 to 7 with the plaint suspending the plaintiffs as members of the first defendant Association as ultra vires to the Rules and Regulation of the first defendant association and null and void and unenforceable in law; for a permanent injunction restraining the defendants, their men, agents, servants, person or persons acting through or under them for and on behalf of the defendants, from, in any manner, whatsoever, giving effect to the letter dated 04.08.2011 issued by the second defendant; for a permanent injunction restraining the defendants, their men, agents, servants, person or persons acting through or under them for and on behalf of the defendants, from, in any manner, whatsoever, interfering with the plaintiffs right to use the first defendants Association's facilities / premises; and for a permanent injunction restraining the defendants, their men, agents, servants, person or persons acting through or under them for and on behalf of the defendants, from, in any manner, whatsoever, interfering with the first and third plaintiffs functioning as

elected office bearers of the Association till the next General Body Election of the first defendant Association is held and pass further orders.

For Plaintiffs : Mr. S.R. Rajagopal
For Defendants : M/s. P.C. Hari Kumar

J U D G M E N T

Mr. S.R. Rajagopal, learned counsel appearing for the plaintiffs seek permission of this Court to withdraw the suit in the light of the letter of the first defendant Association dated 10.09.2014. He has also made an endorsement to that effect stating that the matter has been settled between the parties and hence the suit may be dismissed as withdrawn.

2. As the matter has been settled between the parties out of court, the suit and the connected Applications are dismissed as withdrawn. The Registry is directed to refund the permissible Court fee to the plaintiff.

3. Accordingly, the Civil Suit is dismissed as withdrawn. Consequently, the connected Applications are also closed. No costs.

avr

12.06.2015

K.RAVICHANDRABAABU. J.,

avr

C.S. NO. 547 OF 2011
and
A.No. 1070 of 2014

12.06.2015