

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.11.2015

CORAM

THE HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
THE HON'BLE MRS. JUSTICE PUSHPA SATHYANARAYANA

O.S.A.No.245 of 2015

- 1.The Association of Surgeons of India,
rep. by its Hon. President,
21, Swamy Sivananda Salai,
Chepauk, Chennai-600005.
- 2.Dr.Santhosh John Abraham,
The Association of Surgeons of India,
rep. by its Hon. President,
21, Swamy Sivananda Salai,
Chepauk, Chennai-600005.
- 3.Dr.Krishna Chandra Dewani,
The Association of Surgeons of India,
rep. by its Hon. President,
21, Swamy Sivananda Salai,
Chepauk, Chennai-600005.
- 4.Dr.Chaitanya Prakash Kothari,
The Association of Surgeons of India,
rep. by its Hon. President,
21, Swamy Sivananda Salai,
Chepauk, Chennai-600005. Appellants

vs

- 1.Dr.Ramkumar
- 2.Dr.Suresh Vashishta
- 3.The District Registrar (Registration of Societies).
Chennai Central,
No.182, Bharati Salai,
Chennai-600 104. Respondents

Appeal filed under Clause 15 of the Letters Patent read with Order XXXVI, Rule 9 of Original Side Rules against the order made in Original Application No.1073 of 2015 in C.S.No.805 of 2015, dated 17.11.2015.

For Appellants .. Mr.P.S.Raman Sc
Mr.V.Sankaranarayanan

For Respondents.. Mr.Kuberan
for
M/s.Rank Associates for R1
Ms.P.T.Asha
for
M/s.Saravabhauman
Associates for R2
Mr.STS.Moorthy
Government Pleader
assisted by
Mr.V.Shanmugasundar
Govt. Advocate for R3

JUDGMENT

(Judgment of the Court was delivered by The Hon'ble Chief
Justice)

We have heard the learned counsel for parties.

2. In view of our order suspending the ad-interim injunction dated 17.11.2015 passed by the learned Single Judge, the election process has been completed and the results declared. No final view has been taken by the learned Single Judge. The failure of the appellants to file the reply to the interim application has resulted in the impugned order, which has now been made available to us.

3. In view of the given factual situation, we are of the view that the interim application can be decided by the learned Single Judge on merits, as the reason for grant of the interim order by him was predicated largely on there being no response of the appellants to the interim application.

4. The appeal has really become an academic exercise and accordingly, disposed of with a direction that the learned Single Judge may hear the interim application on merits. No costs.

Sd/-
Assistant Registrar(CO)

True Copy

Sub Assistant Registrar

Copy to:

The Sub Assistant Registrar
Original Side, Madras High Court,
Chennai.
(for posting before court)

+lcc to Mr.V.SankaraNarayanan, Advocate Sr.65100

O.S.A.No.245 of 2015

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srg 11/12/2015



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