

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.06.2016

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

C.S.No.753 of 2014

and

Original Application No.1008 of 2014

K.Govindarajulu

.. Plaintiff

-vs-

- 1.E.Sithaiyan,
Finance Secretary,
Tamil Nadu Electricity Board,
Accounts and Executive Staff Union,
29, Meeran Sahib Street,
Anna Salai, Chennai-600 002.
- 2.Mr.V.Bharathidasan,
Advocate Commissioner / Election Officer,
M22, L-45, II Main Road,
Kamaraj Nagar West, Tiruvanmiyur,
Chennai-600 041.
- 3.Mr.Prathap Kumar,
Advocate Commissioner / Election Officer,
No.15, Town Hall, 6th Street,
Arakonam, Vellore District and
No.18, Law Chambers, High Court, Chennai-104.
- 4.P.Sathish,
Advocate Commissioner / Election Officer,
"Malavika Apartments",
No.13/6, Flat No.1, First Cross Street,
Indira Nagar, Adyar, Chennai-600 020.
- 5.A.Saravanan,
Advocate Commissioner / Election Officer,
No.42, Trustpuram, 6th Cross Street,
Kodambakkam, Chennai-600 024.

.. Defendants

Plaint filed under Order VII Rule 1 of Civil Procedure Code, 1908, r/w Order IV Rule 1 of O.S.Rules, praying for judgment and decree as follows:

(1)for a declaration declaring that the election of the first defendant herein for the post of Finance Secretary of the Tamil Nadu Electricity Board Accounts and Executive Staff Union in the Elections held on 08.06.2014 as null and void;

(2)for a declaration declaring the plaintiff herein as the winner for the post of Finance Secretary of the Tamil Nadu Electricity Board Accounts and Executive Staff Union in the Elections held on 08.06.2014;

(3)and for consequential permanent injunction restraining the first defendant from functioning as Finance Secretary of the Tamil Nadu Electricity Board Accounts and Executive Staff Union pursuant to the Elections held on 08.06.2014;

(4)to direct the defendants to pay costs of this suit; and

(5)to pass such further or other order or orders as this Hon'ble Court may deem fit and proper and thus render justice.

For plaintiff : Mr.K.Premkumar

For defendants : Mr.K.Krishnamurthy for D1

JUDGMENT

When the matter was taken up for hearing, the learned counsel for the first defendant submits that the period of election itself is

over and therefore nothing survives for adjudication in this Civil Suit. The said statement is not controverted by the counsel appearing for the plaintiff.

2.In view of such statement made, there is nothing survives for adjudication in the suit and accordingly, this Civil Suit is dismissed. No costs. Consequently, Original Application No.1008 of 2014 is closed.

sd/.M.M.S.J

13.06.2016

//Certified to be a true copy//

Dated this the day of 2017

R.s/14.03.2017

COURT OFFICER

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.

WEB COPY