

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2016
CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

CRP(PD)No.2304 of 2016

1.Nagamony
2.Sakthivel
3.Rajendran
4.Ravikumar
5.Chandrasekar

.. Petitioners

.Vs.

1.K.Muralikrishnan
2.M.Mathiyalagan
3.T.Saravanan

..Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India, praying to set aside the order and decretal order dated 13.06.2016 passed in I.A.No.150 of 2016 in O.S.No.2 of 2016 on the file of District Munsif cum Judicial Magistrate Hosur.

For petitioners : M/s.K.P.Gopalakrishnan

ORDER

Respondents/Plaintiffs have moved in O.S.No.2 of 2016 on the file of learned District Munsif cum Judicial Magistrate, Hosur, seeking declaration and mandatory injunction. I.A.No.150 of 2016 has been moved by

petitioners/defendants seeking rejection of the plaint. The Court below, under the impugned order, dismissed such application. Hence, this revision.

2. Heard learned counsel for petitioners.

3. In dismissing the application, the Court below has reasoned that defendants 2 to 10 were elected by the General body meeting of the Union and sworn on 25.09.2014. As per Section 11 of the bye laws of the 1st defendant Union, defendants 2 to 10 shall hold the office till the next election. The petitioners/defendants failed to conduct Annual General Body Meeting after finishing one year period on 24.09.2015, a position accepted by both parties. The trial court dismissed the application by holding that whether the petitioners/defendants are entitled to the reliefs sought by them is to be decided only after considering the oral and documentary evidence. This Court finds no error in the order under challenge.

4. This Civil Revision Petition, accordingly, is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

08.08.2016

Index : Yes/No

Internet : Yes/No

kkd

C.T.SELVAM,J.

kkd

To
The District Munsif cum Judicial Magistrate,
Hosur.

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