

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :22.09.2016

CORAM

THE HONOURABLE MRS. JUSTICE **PUSHPA SATHYANARAYANA**

C.S.No.710 of 2010
and
O.A.Nos.877 and 878 of 2010

1. G.Simon
2. B.Paul Karunakaran
3. N.Kamal Kalab
4. J.Johnson ... Plaintiffs

Vs.

1. The Trust Association of the
Advent Christian Conference of India Pvt.Ltd
Rep by its President,
Rev.Dr.M.Barnabas
A.A.M.Compound, Gandhi Salai,
Velacherry, Chennai 600 042
2. M.John Mohan Raj
General Secretary
The Trust Association of the
Advent Christian Conference of India Pvt.Ltd
A.A.M.Compound, Gandhi Salai,
Velacherry, Chennai 600 042
3. Faith and Order Committee of
Advent Christian Conference of India Pvt.Ltd
Rep by its Chairman
Rt.Rev.Dr.B.Benjamin Jayapaul
A.A.M.Compound, Gandhi Salai,
Velacherry, Chennai 600 042

4. Rt Rev.Dr.B.Benjamin Jayapaul
Advent Christian Church,
58, East Coast Road,
Thiruvanmiyur, Chennai 600 041
 5. J.Sathya Satchi
Advent Christian Church,
A.A.M.Compound, Gandhi Salai,
Velacherry, Chennai 600 042
 6. Jabasingh
Advent Christian Church,
A.A.M.Compound, Gandhi Salai,
Velacherry, Chennai 600 042
 7. Prakasam
Advent Christian Church,
A.A.M.Compound, Gandhi Salai,
Velacherry, Chennai 600 042
 8. Suresh
Advent Christian Church,
A.A.M.Compound, Gandhi Salai,
Velacherry, Chennai 600 042
- ... Defendants

PRAYER: Plaintiff filed under Order VII Rule 1 C.P.C read with Order IV Rule 1 of O.S.Rules, praying for a judgement and decree

(a) For a declaration declaring the election for the posts of Secretary, Treasurer, Assistant Treasurer and Executive Committee held on 31.07.2010 as null and void.

(b) For a mandatory injunction directing the first defendant to conduct fresh, free, fair and transparent election for the posts of Secretary, Treasurer, Assistant Treasurer and Executive Committee

engaging any independent body; and

(c) to pay the costs of the suit.

For Plaintiffs	: C.A.Diwakar
For Defendants- 1, 5 to 8	: M/s.Paul and Paul
For Defendant-2	:Mr.D.Vijay

JUDGMENT

The suit is filed for declaration declaring the election for the posts of Secretary, Treasurer, Assistant Treasurer and Executive Committee held on 31.07.2010, as null and void and for mandatory injunction directing the first defendant to conduct fresh election.

2. It is seen from the records that there had been subsequent elections and elected members are administering the association. Hence, nothing survives in this suit as the relief sought for has become infructuous. Accordingly, the Civil Suit is dismissed as infructuous. No costs. Consequently, connected original applications are closed.

22.09.2016

srn

PUSHPA SATHYANARAYANA.J,

srn

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