

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :03.11.2016

CORAM

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

C.S.No.344 of 2012 and
O.A.No.454 of 2012

T.Santhakumar

... Plaintiff

Vs

1. All India Sai Samaj (Regd)
represented by its President

2. K.Thangaraj

3. T.S.Balasundaram

4. A.Selvaraj

5. T.N.Vallinayagam
Life Member No.183
All India Sai Samaj

... Defendants

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

(1) For a declaration declaring that the impugned show cause notice dated 23.05.2012 issued by the first defendant-Samaj to the plaintiff and received by him on 25.05.2012, as Executive Committee member

of the Samaj, as ex-facie illegal and without jurisdiction.

(ii) For permanent injunction restraining the defendants their men, agents, assigns or Election Officers, from in any way conducting the election to the Office bearers of the first defendant-Samaj for three years period from 18.07.2012 upto 2015, as illegally announced by the defendant without participation of plaintiffs either on 03.06.2012 or on any other adjourned date without obtaining the permission or by having an Election Officer appointed through this Hon'ble Court in the pending Scheme Suit - C.S.No.44 of 2001 and

(iii) For a direction to pay the cost of this suit and

For Plaintiff : Mr.V.Ramana Reddy

For Defendants : Mr.J.Balagopal

JUDGMENT

The learned counsel for the plaintiff submitted that prayer in the suit has become infructuous and sought permission of this Court to withdraw the same. He also made an endorsement to the effect.

2. In view of the endorsement made by the learned counsel for the plaintiff, this Civil Suit is dismissed as having become infructuous. No costs. Consequently, connected miscellaneous application is closed.

03.11.2016

srn

PUSHPA SATHYANARAYANA.J,

srn

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