

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.08.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

O.S.A. No.181 of 2016
and C.M.P.No.13925 of 2016

1.G.Dayalan
2.K.Rajendran
3.J.Loganathan
4.G.Srinivasan
5.S.G.Arumairaj
6.T.R.Ganapathi Subramani
7.K.Sivakumar
8.K.Raja
9.K.Parameswaran
10.M.S.Velmurugan
11.M.Ramesh
12.C.Samson
13.A.Srinivasareddy
14.A.Manoharan
15.V.Achuthan
16.K.Palani
17.V.R.Balasubramaniam
18.P.Shanmugathan
19.N.Dinakaran
20.S.Venkatesan
21.P.Selvakumar
22.C.Sivakumar
23.R.Dhamodharan
24.R.Natarajan
25.M.Neelakandan
26.K.Loganathan

... Appellants/Plaintiffs

-vs-

1.Simpson & Group Workers Union
(Regn.No.847), Rep. By its
General Secretary, K.Kothandan
2.R.Kuchelan, President
3.K.Kothandam, General Secretary
4.R.Devarajan, Vice-President
5.T.Ravikumar, Vice-President

6.N.Rajan, Joint Secretary
7.M.Satishkumar, Asst. Secretary
8.M.Govindaraju, Treasurer

.. Respondents

Appeal filed under Order XXXVI Rule 9 of O.S. Rules read with Clause 15 of the Letters Patent against the fair and decretal order dated 16.08.2016 in O.A.No.669 of 2016 in C.S.No.204 of 2013 on the original side of this Court.

For Appellants : Mr.V.Prakash, Sr.Counsel
for Mr.K.Krishnamoorthy

J U D G M E N T

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

After some arguments, learned senior counsel for the appellants does not press the appeal, but submits that in the background of the 2010 and 2013 elections, with 2013 elections forming subject matter of the suit, where the results were not declared for the posts of President and Treasurer in view of the dispute over the electoral college, it would be appropriate that the election is supervised by a neutral person. This is also in the context of the fact that the results for the 2013 elections for the post of President was not declared, who is the pivotal person for purposes of convening meeting.

2.We are of the view that the aforesaid may be an appropriate request to be made to the learned Single Judge to obviate the possibility of another suit arising in the ensuing 2016 elections. We are sure, on such a request, the learned Single Judge would consider it in the conspectus of the past history referred to aforesaid.

3.Original Side Appeal stands dismissed as withdrawn with the aforesaid observation. No costs. Consequently, C.M.P.No.13925 of 2016 is also dismissed.

4.We make it clear that we are not commenting on the issues of law raised in the present appeal as it is being withdrawn.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

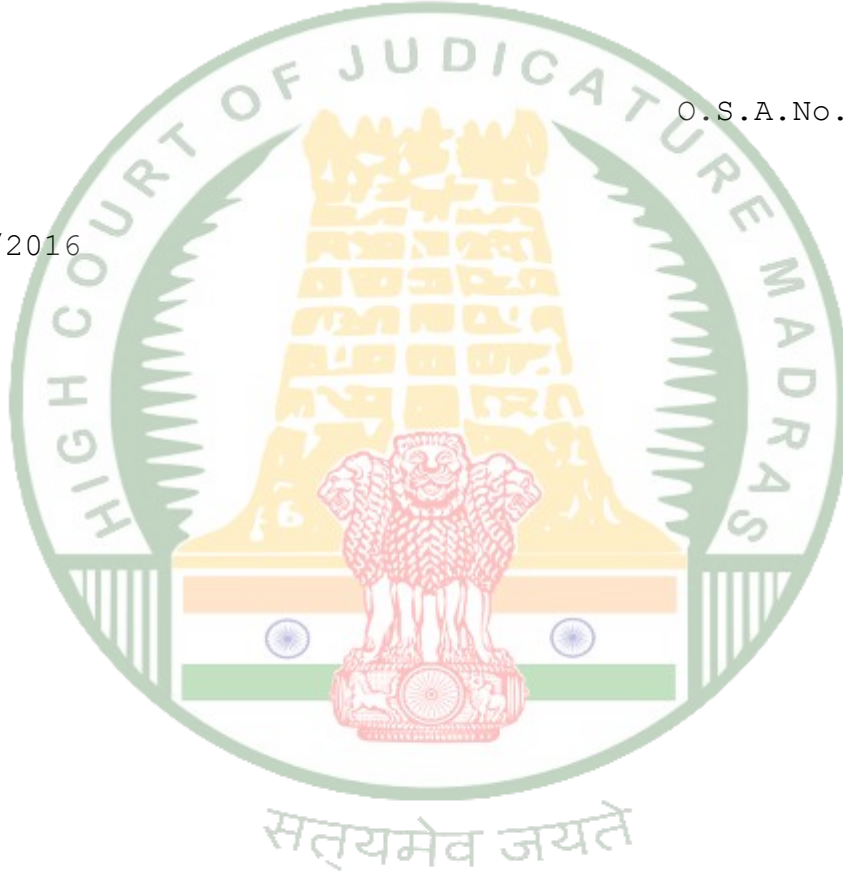
(sra)
To

The Sub Assistant Registrar
Original Side, Madras High Court,
Chennai.

+lcc to Mr.K.Sudalaikannu, Advocate sr.48742

O.S.A.No.181 of 2016

srg 30/08/2016



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