



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.11.2016

CORAM:

THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

C.M.A. (MD) No.46 of 2016

and

C.M.P. (MD) Nos.841 and 842 of 2016

WEB COPY

1.The Madurai Tamil Sangam,
Rep.by its Secretary,
R.Alagumalai.

2.R.Gurusamy
3.S.Veeranasamy
4.K.Muthiah Pasumpon

... Appellant / Petitioner / Plaintiff

Vs.

1.N.Kumaran Sethupaty
2.The Inspector General of Registration,
No.120, Santhome High Road,
Mylapore,
Chennai 600 004.
3.The District Registrar (Administration),
Madurai North District Registration,
TNAU Nagar, Y.Othakadai,
Madurai.

4.S.Mariyappa Murali
5.S.Dasaratharaman

... Respondents/Respondents/
Defendants

PRAYER: Civil Miscellaneous Appeal filed under Order 41 Rule 1 or 3 C.P.C., to set aside the fair and decretal order passed in I.A.No.53 of 2014 in O.S.No.99 of 2014 on the file of the learned Principal District Court, Madurai dated 09.12.2015 and to allow this appeal.

For Appellants : Mr.T.Lajapathi Roy
For Respondents : Mr.G.R.Swaminathan for R4
Mr.Niranjan S.Kumar for R5
R1 and R2 no appearance

JUDGMENT

The Civil Miscellaneous Appeal is filed to set aside the order dated 09.12.2015 passed in I.A.No.53 of 2014 in O.S.No.99 of 2014 by the learned Principal District Judge, Madurai.



2.The learned counsel appearing for the appellants fairly conceded that the appellants had elected as E.C. members in the year 2011 and the term expired in the year 2014 itself. Further contended that the elections were conducted recently and new office bearers were elected and they are functioning. But he is still interested in pursuing the suit with regard to the main issues raised by them and the relief sought for.

3.The learned counsel appearing for the respondents also submitted that interim order cannot be granted at this stage and the main suit is to be conducted through a full-fledged trial.

4.At this juncture, the learned counsel for the appellants prefers to withdraw this Civil Miscellaneous Appeal and requested for a direction for speedy disposal of the suit in O.S.No.99 of 2014 filed by them.

5.Accordingly, the Civil Miscellaneous Appeal is dismissed as withdrawn.

6.Considering the reasonable request made by the learned counsel for the appellants and the learned counsel for the respondents jointly, this Court is inclined to direct the Principal District Judge, Madurai to take up the suit in O.S.No.99 of 2014 as early as possible and dispose of the same preferably within a period of nine months from the date of receipt of a copy of this judgment.

No costs. Consequently, connected C.M.Ps.are closed.

Sd/-

Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar

To

- 1.The Principal District Court, Madurai.
- 2.The Inspector General of Registration,
No.120, Santhome High Road, Mylapore, Chennai 600 004.
- 3.The District Registrar (Administration),
Madurai North District Registration,
TNAU Nagar, Y.Othakadai, Madurai.

+1 CC to Mr.NIRANJAN S.KUMAR, Advocate, SR No.65646

+1 CC to Mr.R.KARUNANIDHI, Advocate, SR No.65131

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