



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.03.2016

CORAM:

THE HONOURABLE MS.JUSTICE V.M. VELUMANI

CRP (MD).No.255 of 2016 and CMP(MD)No.1059 of 2016

1. A.S. Ansar

2. K. Abdul Samadh

: Revision petitioners/Respondents

Vs.

1. Majlis Ul Ulama

rep by its President V.S.M. Varis Mohideen

2. V.S.M. Varis Mohideen

3. A. Niaz Ahamed

4. B.A. Bahauden

: Respondents/Appellants

Prayer: The Civil Revision Petition is filed under Article 227 of the Constitution of India against the fair and decreetal order dated 22.12.2015 made in CMA.No.19 of 2015 on the file of the learned II Additional Subordinate Judge, Trichirappalli.

For Petitioners : Mr. T. N. Vallinayagam, Senior Counsel
for Mr.P. Arun Jayatram

For Respondents : Mr.S. Silambanan, Senior Counsel
for Mr. S. Manikandan

For Caveator : Mr.Subash Babu

ORDER

The Civil Revision Petition is filed against the fair and decreetal order, dated 22.12.2015, made in CMA.No.19 of 2015, on the file of the learned II Additional Subordinate Judge, Trichirappalli.

2. The revision petitioners are the plaintiffs. The respondents are defendant.

3. The plaintiffs filed a suit in O.S.No.314 of 2014, on the file of the learned District Munsif, Tiruchirappalli for (i) declaring that the Resolutions passed in 14th Executive Committee meeting of the first defendant Society in respect of the suspension of the first plaintiff from the office of the General Secretary of the first respondent Society dated 03.09.2014 (ii) permanent injunction and restraining the third defendant from functioning as the General Secretary of the first defendant Society based on the resolutions passed in the 14 and 15th Executive Committee Meeting and Annual General Body Meeting dated, 19.10.2014 (iii) declaring that the resolutions passed in the 15th Executive Committee Meeting of the first defendant Society in respect of the suspension of the plaintiff from the primary membership of the first defendant Society dated 02.10.2014 (iv) declaring the resolutions passed in the Annual General Body Meeting dated 19.10.2014 of the first defendant Society.



4. They were also filed two Interlocutory Applications in I.A.Nos. 331 and 339 of 2015 for interim injunction restraining the third respondent from functioning as the General Secretary of the first respondent Society and interim injunction restraining the third respondent from preventing the members of the first respondent Society, as per 14th and 15th Executive Committee Meeting and Annual General Body Meeting dated 19.10.2014. After contest, the learned II Additional District Munsif, Tiruchirappalli, by order dated 07.09.2015, allowed I.A.No.331 of 2015 and dismissed I.A.No.339 of 2015. The respondents filed CMA.No.19 of 2015, on the file of the learned II Additional Subordinate Judge, Thiruchirappalli. The learned Judge allowed the said appeal in CMA.No.19 of 2015 setting the order of injunction granted in I.A.No.331 of 2015. Against that, the present revision is filed.

5. At the time of arguments both the learned Senior Counsels appearing for the petitioners as well as the respondents argued elaborately and submitted that there are Eight suits in respect of the first respondent Society are pending and therefore, the learned Trial Judge may be directed to dispose the O.S.No.314 of 2015, on merits without being influenced by order dated 22.12.2015 passed in CMA.No.19 of 2015 and the order passed in I.A.No.331 of 2015, dated 21.03.2015, within a time that may be fixed by this Court.

6. Recording the said submissions made by the learned Senior counsels on either side, without deciding the issue on merits, the Civil Revision Petition is disposed of directing the learned to dispose of the suit in O.S.No.314 of 2014 as expeditiously as possible in any event not later than 30th June 2016. No costs.

Sd/

Assistant Registrar(CO)

/TRUE COPY/

Sub Assistant Registrar(C.S)
Madurai Bench of Madras High Court,
Madurai.

To

1. The II Additional District Munsif, Thiruchirappalli.
2. The II Additional Subordinate Judge, Trichirappalli.

+1cc to M/S.P.Arun Jayathram, Advocate in SR.No.13602

+1cc to M/S.M.Subash Babu, Advocate in SR.No.13697

+1cc to M/S.R.Sundar Srinivasan, Advocate in SR.No.13424

CRP (MD) .No.255 of 2016
09.03.2016

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