

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **22.08.2017**

CORAM:

THE HONOURABLE MR.**JUSTICE M.GOVINDARAJ**

C.R.P.PD.No.2834 of 2017

and

C.M.P.No.13401 of 2017

R.Nandakumar

...Petitioner

Vs.

1.N.Prabhakar, Ex.President
The South Indian Sugarcane & Sugar
Technologies Association ("SISSTA")
Navbharat Ventures Limited
Samalkot, East Godavari District
Andhra Pradesh 533 440.

2.The South Indian Sugarcane & Sugar
Technologies Association (SISSTA)
Rep. by its President

3.Mr.E.Muthuvelappan, President
The South Indian Sugarcane & Sugar
Technologies Association (SISSTA)

4.Mr.Jagadish H.Kulkarani, Election Officer
The South Indian Sugarcane & Sugar
Technologies Association (SISSTA)
Ugar Sugar Works Limited,
Ugar Khurd, Athani Taluk,
Belgaum District,
Karnataka 591 316.

...Respondents

Prayer: Civil Revision Petition has been filed under Article 227 of the Constitution of India to set aside the order dated 13.07.2017 passed in I.A.No.4034 of 2017 in O.S.No.6272 of 2016 by allowing this Civil Revision Petition.

For Petitioner : Mr.A.V.B.Krishnakanth

ORDER

The present Civil Revision Petition is filed for striking out the name of the 3rd defendant from the post of the President of the Association. The contention of the petitioner / plaintiff is that the President of the Association, with the malafide intention, removed the membership of the petitioner from Zone-B, Tamilnadu Area which prevented him from contesting the election conducted and sought to implead the 3rd defendant as a party.

2.The 3rd defendant filed the petition stating that in his official capacity as the President of the Association, he has taken action, removing the petitioner from the list of contesting candidates.

3.The petitioner is not seeking any relief as against the 3rd defendant to prove his malafide. However, the 3rd defendant has challenged the same and sought for striking his name from the membership, as he is no more a president in the Association and a new president has been elected. The trial court has rightly allowed the petition as there is no cause of action or reliefs sought for against the 3rd defendant / 1st respondent.

4.This Court did not find any discrepancy in the order passed by the trial Court. Therefore, the impugned order does not require any interference. Accordingly, this Civil Revision Petition is dismissed. Consequently, connected miscellaneous petition is closed. No costs.

सत्यमेव जयते

22.08.2017

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To

1.N.Prabhakar, Ex.President
The South Indian Sugarcane & Sugar
Technologies Association ("SISSTA")
Navbharat Ventures Limited
Samalkot, East Godavari District
Andhra Pradesh 533 440.

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