

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2019

CORAM

THE HONOURABLE **MR. JUSTICE C. SARAVANAN**

C.R.P. (PD) No. 2291 of 2014

and

M.P. No. 1 of 2014

1.E. Subramanian

2.G. Jayaraman

3.V. Anantharaman

... Petitioners

Vs.

1.Desathi Balija Kula Kavarai Sangam
Rep.by its Vice President
Sri.Dinesh Jaganathan
Office at Old No.118, New No.29
Kavarai Street, (N.S.K. Street)
Chengalpattu Town & Taluk
Kancheepuram District.

2.B.Seetharaman

3.T.J.Radhakrishnan

4.The District Registrar,
Office of the Registration of Societies,
Chengalpattu.

5.The Registrar of Societies,
Office of the Registration of Societies.
Chengalpattu.

... Respondents

PRAYER: Civil Revision petition is filed under Article 227 of the

Constitution of India, to dismiss the suit in O.S.No.58 of 2014, on the file of the Court of the Subordinate Judge at Chengalpattu.

For Petitioners : Mr. S. Sathia Chandran

For Respondents : Mr. A. Dev. Narendran
Government Advocate (CS)
(for R4 & R5)

ORDER

The present Civil Revision Petition has been filed to dismiss O.S.No.58 of 2014, on the file of the Subordinate Court, Chengalpattu.

2. The petitioners, who are the first to third defendants in O.S.No.58 of 2014, have alleged that the suit was filed by one Dinesh Jeganathan, who is the Vice President of the respondent/Sangam. According to the petition the said suit was without jurisdiction. As per the bye-laws, only the Secretary was empowered to represent the first respondent/ Plaintiff Sangam. Consequently, had prayed for dismissal of the suit.

3. It is further submitted that as per the bye-laws, the election is only for a period of one year and that the issue relating to Form-7 was pending before the Registrar of Society.

4. It is noticed that the petitioners have straight away

approached this Court without filing application to reject the plaint or without filing written statement. I do not find any merits in the present Civil Revision Petition.

5.It is noticed that the suit is of the year 2014. The current status of the said suit has not been updated. If the suit has not been already disposed, liberty is given to the petitioners to file a formal application to condone the delay in filing written statement and file written statement. Under the circumstances, the Subordinate Court, Chengalpattu shall endeavour to bring a closure to the proceedings on merits within a period of nine months from the date of receipt of a copy of this order.

6.The Civil Revision Petition thus stands dismissed with the above observations. No costs. Consequently, connected Miscellaneous Petition is closed.

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Index: Yes/No

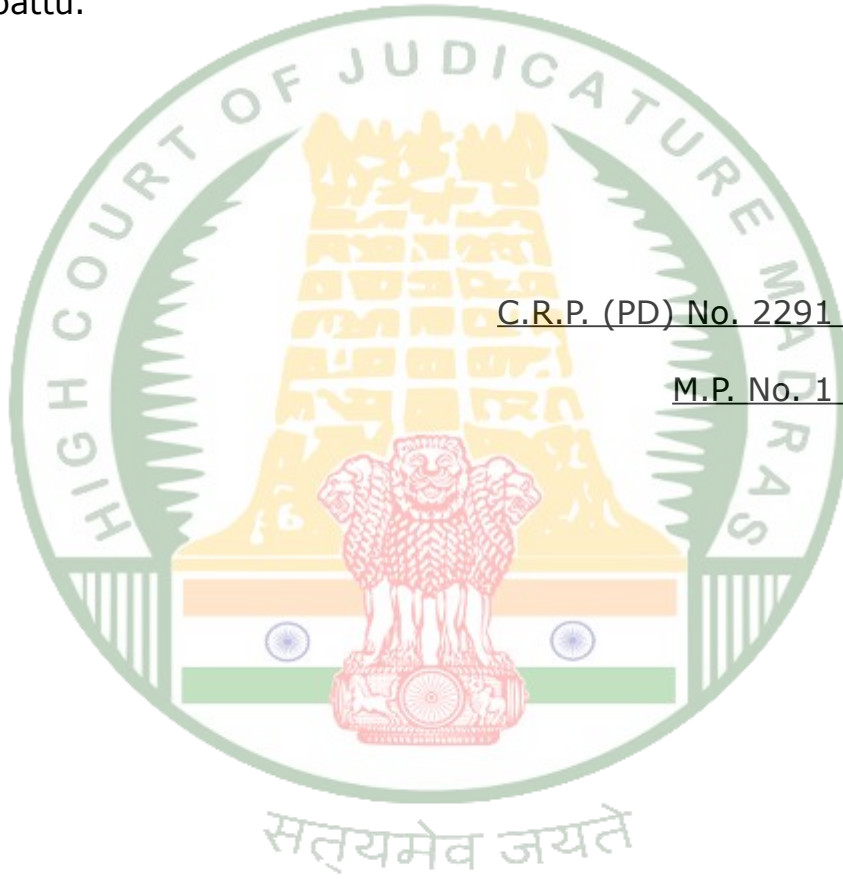
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C. SARAVANAN, J.

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To

The Subordinate Court,
Chengalpattu.



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