

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 06TH DAY OF SEPTEMBER 2019

THE HON'BLE MS.JUSTICE PUSHPA SATHYANARAYANA

O.A.No.825 of 2019

In the matter of Arbitration
& Conciliation Act 1996

and

In the matter of the
Dispute between Coimbatore
District Football Association
and
Convenor of Coimbatore
District Football Association
Under Article 46 of the
Constitution- Coimbatore
District Football Association

1.Mr.K.Raja,
Former Secretary (2014-2018)
Coimbatore District Football Association
Residing at No.V.53, Kovai Pudur,
Coimbatore 641 042

2.Mr.O.Shanmugasundaram,
Former Vice President (2014-2018)
Coimbatore District Football Association
Residing at No.1/343, Adiyapatham Street,
NGGO Colony, Coimbatore 641 022

3.Mr.T.Krishnamurthy,
Former Hony. Assistant Secretary (2014-2018)
Coimbatore District Foot Ball Association
Residing at No.145, N.H.Road,
Coimbatore 641 001

...Applicants

-vs-

Mr.J.I.Jesudason,
Convenor of Adhoc Committee
Coimbatore District football Association
Represented by its convener,
Gate No.12, 1st Floor,
Nehru Stadium, Coimbatore 641 018

...Respondent

Original Application praying that this Honble Court be pleased to pass an order of restraining the Respondent, Convenor of the Adhoc Committee from conducting the Annual General Body Meeting of the Coimbatore District Football Association, at Association premises at Gate No.12, 1st Floor, Nehru Stadium, Coimbatore 641 018, on 08.09.2019 or on any other dates subsequently and not to take or implement any decision, pending disposal of the Arbitration Proceedings.

This Original Application coming on this day before this court for hearing the court made the following order:

The applicants are said to be erstwhile office bearers of the Coimbatore District Football Association.

2. This application is filed by the applicants seeking to pass an order restraining the respondent/convenor of the Ad-hoc Committee from conducting the Annual General Body Meeting of the Coimbatore District Football Association at Association Premises on 08.09.2019 to decide the Agenda, having about 16 subjects.

3. At the end of the Agenda, there is a note which says that "We are not conducting the election to elect the office bearers of the Association due to the appeal pending in Madras High Court".

4. Be that as it may. Earlier, this Court, on 03.04.2019, passed an order appointing one Mr.M.Thangaraju, District Judge (Retd) as Election Officer to conduct election to the Office bearers of the Coimbatore District Football

Association for the term of four years from the date of their assuming charge after due election and also set out the details, conditions and the procedures to be followed. Thereafter, there was certain clarification, which was sought for in the said order, which was also clarified in Application No.4375 of 2019 on 03.07.2019 directing the election officer appointed by this Court to complete the election process within a period of 45 days. The Officer appointed by this Court has also released the dates on 26.08.2019 for filing of the nomination till the date commencement of results. On 02.09.2019, the eligible voters' list was also drawn by the election officer appointed by this Court, which includes the respondent herein.

5. While so, the respondent herein has called for Annual General Body Meeting on 08.09.2019. The applicants apprehend that the election would not be conducted, as the Agenda specifically had given a note at the bottom as quoted above. It is also stated that the respondent is drawing another voters' list by including new members. Therefore, the applicants have rushed to this Court for an order of interim injunction restraining the respondent from convening the Annual General Body Meeting on 08.09.2019.

6. It is not the grievance of the applicant that the election officer appointed by this Court is deviating any of the procedures given by this Court in conducting the election. As already the dates are announced and the voters'

list is also released with complete details of eligible voters, the same cannot be changed till the completion of election. Therefore, the applicants need not have any apprehension about the outcome of the Annual General Body Meeting, which is proposed to be convened by the respondent on 08.09.2019. If the said meeting convened by the respondent is violation of any of the procedures or the same is unwarranted and uncalled for, the same can be dealt with by the Officer bearers to be elected in ensuing election fixed on 24.09.2019 as per the directions of this Court.

7. In view of the above discussion, this application is dismissed.

Sd/.P.S.N.J
06.09.2019

//Certified to be a true copy//
Dated this the day of 2019.

सत्यमेव जयते

R.s/06.06.2019

COURT OFFICER

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.