

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

C.S.No. 20 of 2017

and

A.No. 153 of 2017

and

O.A.No. 34 of 2017

Karur Vasudevan

..Plaintiff

Vs.

1.Southern India Vysya Association,
Rep. By its Joint Honorary Secretary,
Mr.M.Praveen Kumar,

2.M.V.Narayana Gupta

3.M.Narasimhulu

4.M.Praveen Kumar

...Defendants

Prayer: Complaint under Order IV Rule 1 of O.S.Rules r/w Order VII Rule 1 of Code of Civil Procedure praying as follows:

a) to declare the action of the 3rd and 4th defendants in issuing the letter dated 27.12.2016 suspending the plaintiff as Member of the 1st defendant Association as ultra-vires to the Bye-laws of the 1st defendant association as null and void, non-est and unenforceable in law;

b) for a permanent injunction restraining the defendants, their men, agents, servants, persons or persons acting through or under them, for and on behalf of the defendants, from, in any manner, whatsoever, giving effect to the letter dated 27.12.2016 issued by the 3rd and 4th defendants;

c) for a permanent injunction restraining the defendants, their men, agents, servants, person or persons acting through or under them, for and on behalf of the defendants, from, in any manner, whatsoever, interfering with the

plaintiff right to use the 1st defendant Association's facilities/premises;

d) for a permanent injunction restraining the defendants, their men, agents, servants, person or persons acting through or under them, for and on behalf of the defendants, from, in any manner, whatsoever, interfering with the plaintiff functioning as elected Hony. Treasurer of the Association till the next General Body Election of the 1st defendant Association is held;

e) for costs.

For Plaintiff : M/s. Vijayalakshmi Rajagopal

For Defendants : M/s. P.C.Harikumar & Associates

ORDER

Plaint under Order IV Rule 1 of O.S.Rules r/w Order VII Rule 1 of Code of Civil Procedure praying as follows:

a) to declare the action of the 3rd and 4th defendants in issuing the letter dated 27.12.2016 suspending the plaintiff as Member of the 1st defendant Association as ultra-vires to the Bye-laws of the 1st defendant association as null and void, non-est and unenforceable in law;

b) for a permanent injunction restraining the defendants, their men, agents, servants, persons or persons acting through or under them, for and on behalf of the defendants, from, in any manner, whatsoever, giving effect to the letter dated 27.12.2016 issued by the 3rd and 4th defendants;

c) for a permanent injunction restraining the defendants, their men, agents, servants, person or persons acting through or under them, for and on behalf of the defendants, from, in any manner, whatsoever, interfering with the plaintiff right to use the 1st defendant Association's facilities/premises;

d) for a permanent injunction restraining the defendants, their men, agents, servants, person or persons acting through or under them, for and on behalf of the defendants, from, in any manner, whatsoever, interfering with the plaintiff functioning as elected Hony. Treasurer of the Association till the next General Body Election of the 1st defendant Association is held;

e) for costs.

2. The learned counsel for the plaintiff has circulated a letter requesting the registry to post the matter for withdrawal. The said letter is accompanied by a letter addressed to the counsel for the plaintiff by the plaintiff instructing the counsel to withdraw the suit as the dispute has been amicably resolved.

3. In view of the same, the suit is dismissed as settled out of Court. Consequently, connected applications are closed. No costs. The Court fee paid on the plaint is directed to be refunded to the plaintiff.

10.04.2019

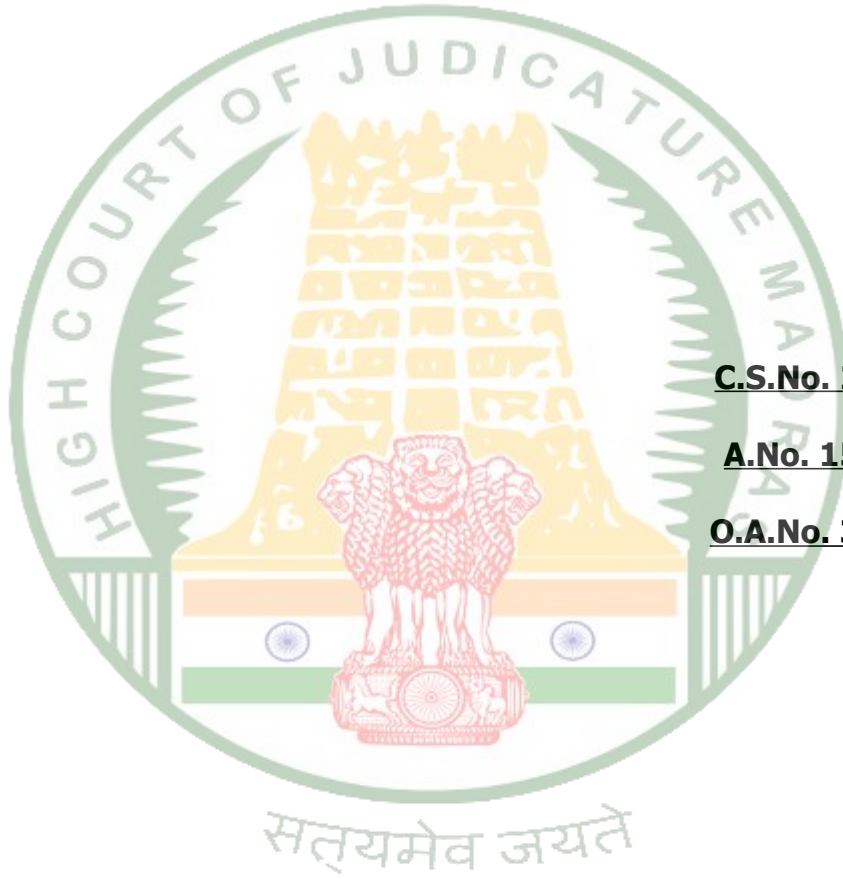
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R.SUBRAMANIAN, J.

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