

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

C.R.P.(PD) No.3937 of 2012

V.Karuppiah

... Petitioner/3rd Party/3rd Party

-VS-

1. K.Sabapathy

... 1st Respondent/Petitioner/Plaintiff

2. Tamil Nadu Yadhava Maha Sabha
A Society Registered under the Societies Act,
Rep. by State Committee,
No.23, Agraharam Street,
Chindadripet, Chennai-600 002.

3. M.Gopalakrishnan

... 2nd & 3rd Respondents / 2nd & 3rd Respondents
/ 1st & 2nd Defendants

PRAYER: Petition is filed under Article 227 of the Constitution of India, seeking to set aside the Order dated 11.10.2012 in I.A.No.14373 of 2012 in O.S.No.2893 of 2012 on the file of the VII Assistant City Civil Court at Chennai by allowing this Revision.

For Petitioner : Mr.R.Ravindran
For R1 : Mr.N.Ramesh
For R2 : Mr.A.Arun
For R3 : Mr.P.Raja

ORDER

The plaintiff had filed an application in I.A.No.14373 of 2012 for appointment of an Advocate Commissioner as Election Officer to issue election notification and to hold election till the declaration of results and file the report / result in the Court and the said application was allowed by the VII Assistant Judge, City Civil Court, Chennai on 11.10.2012. Aggrieved by the same, the petitioner, who is a 3rd party to the suit, has come up with the present petition, seeking to set aside the order dated 11.10.2012.

S.VAIDYANATHAN,J.
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2. When the matter is taken up for hearing, it is represented by the learned counsel for the 1st Respondent that the relief sought for by the petitioner herein in this petition is not maintainable in view of the fact that the election had already been conducted.

3. In view of the above submission, this Court is of the view that nothing survives for further adjudication in this case and the petition is liable to be dismissed.

4. Accordingly, the Civil Revision Petition is dismissed. It is open to the petitioner to challenge the election in accordance with law and the respective parties shall also mention completion of the election before the Lower Court to enable the said Court to pass further orders, apart from considering the eligibility of the petitioner to vote in accordance with law. No costs. Consequently, connected Miscellaneous Petition, if any are closed.

16.03.2020

Index: Yes / No
Internet: Yes / No
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To:

The VII Assistant Judge,
City Civil Court,
Chennai.

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