

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.08.2020

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

C.R.P.(NPD).No.1397 of 2018
and
C.M.P.No.7470 of 2018

Jyothikumar Chetty
Rotary Club of Madras Cosmos,
No.7/4, Amman Nagar,
2nd Main Road, Nesapakkam,
West K.K.Nagar,
Chennai 600 078.

...Petitioner

Vs.

1.G.Gnanavelan
2.R.Srinivasan
3.Subramaniam
4.M.S.Srinivasan
5.K.Desiga Chozhan
6.C.N.Ravisagar
7.C.Sathishkumar

...Respondents

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 16.02.2018, made in I.A.No.229 of 2018 in O.S.No.5959 of 2017 passed by the VI Assistant City Civil Court, Chennai and allow the Civil Revision Petition.

For Petitioner : Mr.Vijay Baskar
for Mr.N.Anand

For Respondents : Mr.R.Amizhdhu for R2
: R1, R3 to R7 – No appearance

ORDER

The plaintiff in O.S.No.5959 of 2017, whose suit was dismissed on the ground that an Arbitration Clause is available by filing an application under Section 8 of the Arbitration and Conciliation Act, 1996, has come up with this Civil Revision Petition. The dispute essentially relates to removal of the petitioner as the President of the Rotary Club of Madras Cosmos and election of some of the defendants as the President and office bearers of the said Club. The prayers sought for in the suit are as

follows:

A) declaration to declare that the decision and report of the first defendant with regards to change of the President and Secretary of the Rotary Club of Madras Cosmos is biased one and against the law and not bind on the plaintiff;

B) for permanent injunction restraining the first defendant from receiving any reports, mails participating or sending any district officials in the meetings to be held by the defendants 4 to 7.

C) for permanent injunction restraining the 4th and 5th defendants from removing any members by accessing new password of the Rotary Club.

D) and for permanent injunction restraining the defendants 4 to 7 their men, servants, persons claiming under them, persons acting under or in trust for them from conducting any meetings passing resolutions, projects, any events and voting?

3. It is an admitted case of the parties that the office-bearers were elected for a period of one year, i.e., between 1st July, 2017 to 30th June, 2018. The prayers extracted above relate to the functioning of the office-bearers during the said period. The said period has now expired and hence, the very suit has become infructuous. I therefore see no reason to interfere with the order of the Trial Court. Accordingly, this Civil Revision Petition stands dismissed, leaving it open to the petitioner to take whatever proceedings feasible challenging his removal from the membership of the Club. No costs. Consequently, connected Miscellaneous Petition is also closed.

13.08.2020

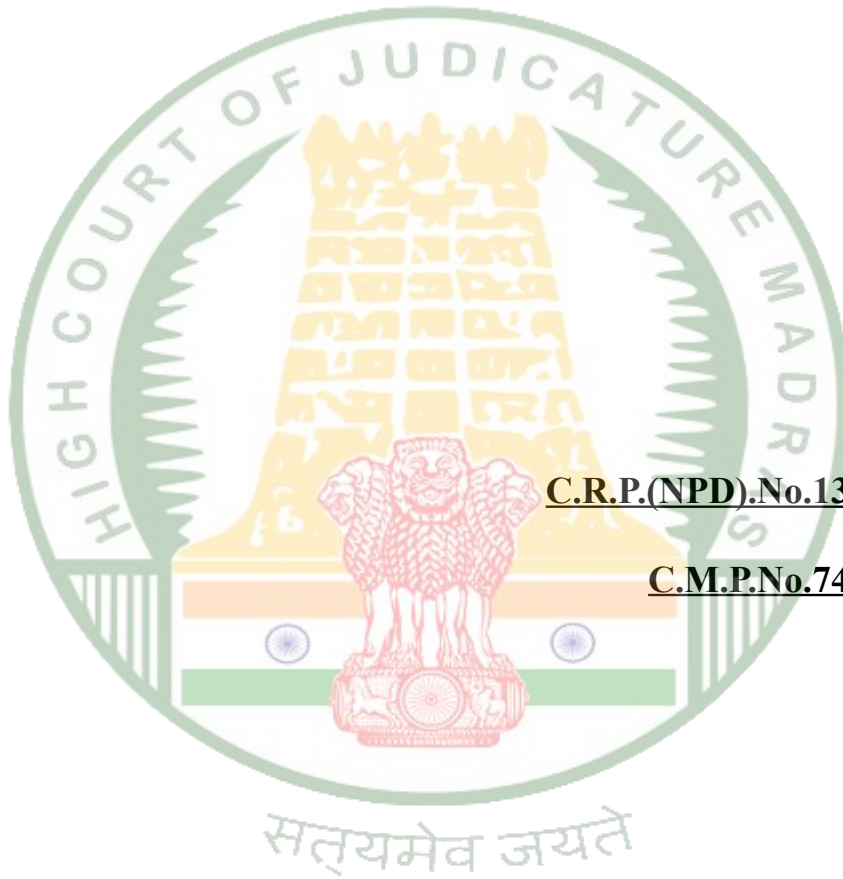
Internet: Yes
Index : No
Speaking Order
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To

The VI Assistant City Civil Court, Chennai

CRP.(NPD).No.1397 of 2018
and
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R.SUBRAMANIAN, J.
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