

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.08.2020

CORAM

THE HON'BLE MS.JUSTICE P.T. ASHA

A.No.1670 of 2020
in C.S.D.No.45590 of 2020

1.All Marathi Chess Association,
rep. By its General Secretary
Mr.Vijay Deshpande,
Having its Administrative office at
K-3, 1/1 N-5 CIDCO Milan nagar,
Gulmohar Colony
Aurngabad 431003
Maharashtra

2.Bengal Chess Association,
represented by its General Secretary
Mr.Dilip Ranjan Chakraborty
having its registered office at
107, K.K.Majumder road,
Santoshpur, Kolkota 700 075
West Bengal

3.All Rajputana Chess Association,
represented by its President,
Mr.Ajay Ajmera,
having its registered office at
7/420, Malviya Nagar,
Jaipur 302 017
Rajasthan

4.The Andhra Pradesh Chess Association,
rep. By its General Secretary,
Mr.Y.suman,
having its Administrative Office at
Opp. Aditya College, Adithya Nagar,
Nellore 524 002

5.Himachal Pradesh State Chess Association,
rep. By its President
Mr.Ajay Verma,
having its Administrative office at
Near Tara Mandir, Birta,
Kangra District 174 001
Himachal Pradesh

Applicants 1 to 5 represented by
power of Attorney

Mr.D.V.Sundar, Vice President AICF

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Applicants

vs.

1.Naresh Sharma

2.D.Vipnesh Bharadwaj

3.Neeraj Kumar Mishra

4.Bhavesht Patel

5.Bhagyashree Thipsay

6.Bharat Singh Chauhan

7.All India Chess Federation,
(regd. Society Regn.No.125/1958)

represented by its President,

Mr.P.R.Venketrama Raja

Head of the Three member Committee

All India Chess Federation,

having its registered office at

Room No.70, Jawaharlal Nehru Stadium

Periyamet, Chennai 600 003

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Respondents

Prayer ::- Application filed seeking grant of leave to sue the
respondents / defendants 1 to 6 in the above suit C.S.D.No.45590 of 2020.

For applicants

: Mr. Christopher Manoharan

ORDER

The above suit is filed for the following reliefs:

A. Declaration that the Notice dated 31.03.2020 issued by Defendant No. 2 herein calling-for a "Special / Extra Ordinary General Body Meeting of the AICF to be held on 22.4.2020" between 11:00 AM - 01:00 PM at Tivoli Grand Resort, Alipore, New Delhi, as null and void;

B. Declaration that the E-mail dated 21.04.2020 from Defendant No.1 herein at 10:43:09 PM IST sent to all the Members of the AICF confirming the conduct of the "Special / Extra Ordinary General Body Meeting of the AICP to be held on 22.4.2020" between 11:00 AM - 01:00 PM via ZOOM Application, as null and void;

C. Declaration that all the decisions taken and resolutions passed in the "Special/ Extra Ordinary General Body Meeting of the AICF to be held on 22.4.2020" between 11:00 AM- 01:00 PM via ZOOM Application as null and void;

D. Declaration that the Disaffiliation Notices dated 02.05.2020 issued to plaintiffs Nos.1-5 herein by Defendant Nos.1-5 on changed Letter Heads of the AICF as null, void and non-est in law;

E. Permanent Injunction restraining Defendant Nos. I-6 and/or their men, agents, servants or any person acting for on behalf of the AICF in any manner whatsoever from interfering with the Electoral College dated 06.02.2020 of the up-coming Elections to the AICF until the declaration of the Elections to the Federation;

F. Permanent Injunction restraining Defendant Nos. I-6 and/or their men, agents, servants or any person acting for on behalf of the AICF from interfering with the administration of the AICF or giving effect to the decisions taken at the "Special / Extra Ordinary General Body Meeting of the AICF to be held on 22.4.2020" between 11:00 AM- 01:00 PM via ZOOM Application until the declaration of the Elections to the Federation;

G. for Costs of the present Suit;

2. The 7th defendant is the All India Chess Federation. The meeting which is sought to be declared as null and void and the resolution passed therein to be injected from being continuous, had arisen from out of the earlier orders of this Court pertaining to the elections of the All India Chess Federation, the petitioner herein.

3. The suit already filed are still pending on the file of this Court and the registered office of the federation is also situated within the jurisdiction of this Court.

4. Further Article 21 (ii) of the AICF Constitution and By-Laws of the Federation would clearly state that any suit or legal action against the federation shall be instituted only at the Courts in Chennai, where the registered office is situated.

5. Considering the fact that the defendants 1 to 6 are outside the jurisdiction of this Court, the application seeking leave to initiate proceedings against the respondents is, therefore, ordered as prayed for.

6. The Registry is directed to number the suit, if otherwise in order.

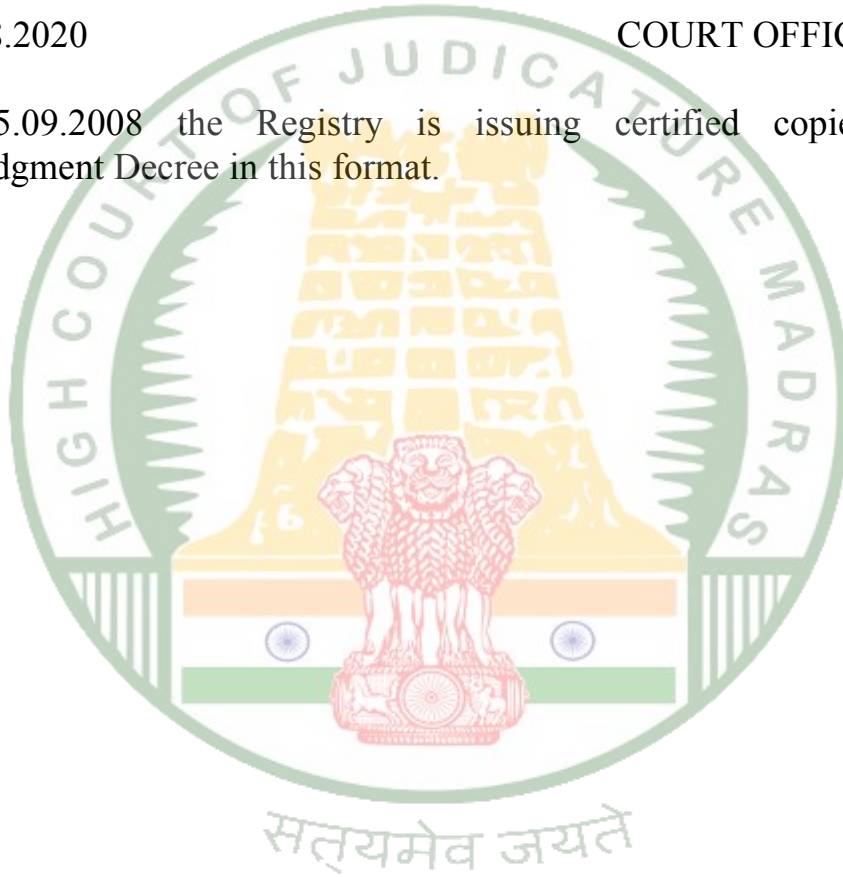
Sd/.P.T.A.J
17.08.2020

//Certified to be a true copy//
Dated this the day of 2020.

SU/26.08.2020

COURT OFFICER(O.S.)

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



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