

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.07.2020

CORAM :

THE HON'BLE MR.A.P.SAHI, THE CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

C.M.P.NO.8030 OF 2020 IN W.A.NO.2805 OF 2019

M.Sardarmal Chordia
Secretary, Agurchand Manmull
Jain College, Meenambakkam
Chennai 600 114.

...Petitioner/Appellant

-Vs-

1.State of Tamil Nadu rep.by the
Principal Secretary, Higher Education
Department, Secretariat
Chennai 600 009.

2.The Director of Collegiate Education
College Road, Chennai 600 006.

3.The Joint Director of Collegiate Education
Chennai Region, Chennai 600 015.

...Respondents

Prayer : The Civil Miscellaneous Petition filed under section 148 CPC praying to extend the time granted vide an order dated 28.04.2020 in CMP No.6992 of 2020 in WA No.2805 of 2019 by three months from the date of total withdrawal of lockdown in Chennai for completing the process of election for 108 Members of the Executive Committee of Sri SS Jain Educational Society for the year 2020-2022.

WA No.2805/2019

Writ Appeal filed u/c 15 of Letters patent praying to set aside the Common order dated 24.07.2019 in W.P.No.32322/2017 in so far as the said common order relates to dismissal of W.P.No.32322/2017.

PRAYER IN W.P.No.32322 of 2017:

This Writ Petition is filed under Article 226 of the Constitution of India for a writ of Certiorarified Mandamus calling for the records in the order bearing Moo.Mu.No.44933/G1/2016 dated 02.03.2017 passed by the second

respondent and quashing the same and forbearing the petitioner as the Secretary of the Agurchand Manmull Jain College, Meenambakkam, Chennai as per clause 20(a) of the Memorandum of Association of Shri Sweatambar Stanakwasi Jain Educational Society/

For Petitioner : Mr.M.Radhakrishnan
For Respondents : Mr.V.Jayaprakash Narayanan
State Government Pleader

O R D E R

(Made by The Hon'ble Chief Justice)

Learned counsel for the applicant prays that keeping in view the nature of the pandemic situation that is continuing, the elections can be concluded within two months from the date of total withdrawal of the lockdown, even though the prayer has been made for three months.

2. We find that, keeping in view this pandemic situation and more particularly that there are approximately 1500 participants in the election, the prayer made in this application deserves to be accepted in these extraordinary circumstances.

3. Accordingly, we modify the order dated 28.04.2020 to the extent that the time period granted shall stand extended for a period of two months from the date of final withdrawal, but not beyond three months. Therefore, the date as extended on 28.04.2020 shall stand further extended till 31.10.2020 in order to complete the elections. The application is ordered accordingly. Post the Writ Appeal on 02.11.2020.

Sd/-

सत्यमेव जयते Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

KST

To

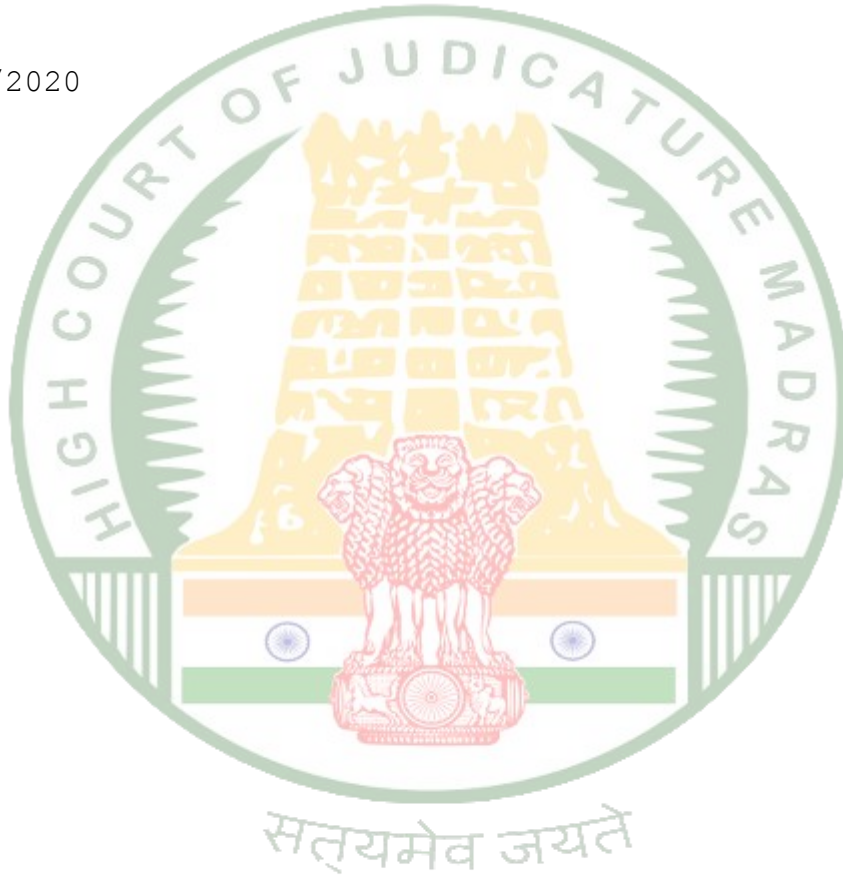
1.The Principal Secretary,
State of Tamil Nadu,
Higher Education Department, Secretariat
Chennai 600 009.

2.The Director of Collegiate Education
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BR(CO)
KKV/07/09/2020



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