

A.No.2832 of 2020
in
CS.SR.No.79193 of 2020

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N.SATHISH KUMAR, J

This application has been filed to grant leave to the applicant/plaintiff to institute the above Civil Suit against the respondents/defendants 1 to 3 abovenamed without serving any notice on them as required by sub-Section (1) of Section 80 of the Civil Procedure Code, 1908.

2. Heard Mr.Srinivas, learned counsel for the applicant/plaintiff.

3. It is the contention of the learned counsel for the applicant/plaintiff that order passed by the first defendant dated 29/10/2020, informing the plaintiff that if no reply is forthcoming within thirty days, Club of the plaintiff would be superseded.

4. It is his further contention that since the second respondent passed an order, on 18/8/2020 and the third respondent, on 7/10/2020, which were served on the applicant, on 10/10/2020 and the first respondent, based on the above order, has issued a notice, dated 29/10/2020, calling upon the applicant to show cause within one month and threatening to supersede the applicant's Committee and take over the applicant Society's management, applicant has no time to comply with the requirement of service of 60 days notice, under Section 80 CPC, on the respondents 1 to 3 since urgent interim orders are required to avoid irreparable damage and injury to the applicant, the applicant is applying for dispensing with notice under Section 80 CPC to the respondents 1 to 3 in this suit and a separate application is filed for the same.

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5. Having regard to the nature of the relief sought for and the first defendant is granting only 30 days time and considering the nature of leave and urgency, instant application is ordered, as prayed for.

mvs.

27/11/2020

Note: Registry is directed to verify, whether leave to sue application is filed by the applicant. If so, post the same on 30/11/2020.



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