

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2021

CORAM

THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRP.(PD).No. 3427 of 2016

and

C.M.P.No. 2554 of 2017

1.The Cine Technician Association of South India
Rep. by its Secretary S.Sundar\
'Nathan Building', Second Floor,
No.4/7 North Usman Road, T.Nagar,
Chennai 600 017.

2.Mr.Ramachandra Kurup, S/o.P.Krishna Kurup
President, The Cine Technician Association of
South India, O.No.11, N.No.28,
Palat Sankaran Road, Mahalingapuram,
Chennai 600 024.

3.Mr.S.P.Subramanian, Secretary,
The Cine Technician Association of South India
O.No.5, Arumugam Achari Street,
Triplicane, Chennai 600 005.

4.Mr.S.Sundar Secretary
The Cine Technician Association of South India
A/8 Jublee Flats, O.No.48/49, N.No.20,
Jubilee Road, West Mambalam,
Chennai 600 033.

... Petitioners

Vs.

1.T.P.Gajendran

2.Mylai S.Kumar

3.Nagalakshmi @ Kumari

4.The Inspector General of Registration
No.10 Santhome High Road,
Chennai 600 028.

5.The Registrar of Societies
Office of the District Registrar,
Saidapet, Chennai 600 015.

... Respondents

PRAYER: The Civil Revision Petition is filed under Article 227 of the Constitution of India praying to set aside the fair and decretal order passed by the XI Assistant City Civil Judge at Chennai in I.A.No.11119 of 2016 in O.S.No.1808 of 2016 dated 28.09.2016 and consequently reject the plaint filed by the plaintiffs in O.S.No.1808 of 2016 on the file of the XI Assistant City Civil Judge at Chennai.

For Petitioners : Mr.T.T.Ravichandran

For Respondents : Mr.S.Jaganathan (For R4 and R5)

No Appearance (For R1 to R3)

ORDER

This Civil Revision Petition is directed as against the fair and decretal order in I.A.No.11119 of 2016 in O.S.No.1808 of 2016 dated 28.09.2016 on the file of the learned XI Assistant City Civil Judge at Chennai and consequently, reject the plaint filed by the plaintiffs in O.S.No.1808 of 2016 on the file of the XI Assistant City Civil Judge at Chennai.

2. The respondents 1 to 3 have filed a suit in O.S.No.1808 of 2016 for declaration declaring that the possession of the Cine technician association building, office, furniture, records and documents by the petitioners as illegal, null and void and for permanent injunction restraining the petitioners 2 to 4 their men, agents and servants and any person claiming through them from functioning or discharging their duties and obligations as office bearers of the first petitioner Association or deal with the finance, banks, movable or immovable properties of the first petitioner.

3. Thereafter, during the pendency of the plaint in O.S.No.1808 of 2016, the petitioners have filed I.A.No.11119 of 2016 in O.S.No. 1808 of 2016 to reject that suit. After hearing the parties, by an order dated

28.09.2016 the learned XI Assistant Judge, City Civil Court, Chennai has dismissed that petition.

4. Aggrieved by the same, the present Civil Revision Petition has been filed.

5. Learned counsel for the petitioners would submit that the petitioners have also filed a suit in O.S.No.2372 of 2017 as against the respondents and it is pending on the file of the XIV Assistant City Civil Court, Chennai and as such, he request for joint trial.

6. Considering the above reasons, both the suits are one and the same and it would be appropriate to withdraw the suit in O.S.No.1808 of 2016 from the file of the XI Assistant City Civil Court, Chennai and transfer the same to the file of the XIV Assistant City Civil Court, Chennai, for joint trial with O.S.No.2372 of 2017. On receipt of the entire records, the XIV Assistant City Civil Court, Chennai is directed to complete the trial within a period of six months.

7. Accordingly, the Civil Revision Petition is disposed of. No Costs.

Consequently, the connected Civil Miscellaneous Petition is closed.

08.02.2021

Speaking/Non-speaking order

Index : Yes/No

Internet : Yes/No

dm

To

1. The XI Assistant City Civil Court,
Chennai.
- 2.The Inspector General of Registration
No.10 Santhome High Road,
Chennai 600 028.
- 3.The Registrar of Societies
Office of the District Registrar,
Saidapet, Chennai 600 015.

Copy to

1. The XIV Assistant City Civil Court,
Chennai.

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G.K.ILANTHIRAIYAN,J.

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