



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

WEDNESDAY, THE 24TH DAY OF MARCH 2021

THE HON'BLE MR. JUSTICE R. PONGIAPPAN

C.S. No.404 of 2020

and

O.A. No.757 of 2020

Sridhar Arunachalam,
S/o. Arunachalam,
Residing at
No. 184, CV Raman Street,
Alwarthirunagar,
Tiruvallur 600 087.

.. Plaintiff / Applicant

vs.

1. The Tamil Film Producers Council
Represented by its Honorary Secretary
Having Office at
No.606, Anna Salai, Chennai 600006.

2. N. Ramasamy Alias Murali,
President
The Tamil Flim Producers Council

3. K.Kathiresan,
Vice-President
The Tamil Flim Producers Council

4. R.K.Suresh,
Vice President
The Tamil Flim Producers Council

5. T.Mannan,
Honorary Secretary



The Tamil Flim Producers Council

6.R.Radhakrishnan,
Honorary Secretary
The Tamil Flim Producers Council

7.Chandra Prakash Jain,
Treasurer
The Tamil Flim Producers Council

8.R.V. Udhayakumar,
Executive Committee Member
The Tamil Flim Producers Council

9.Azhagan Tamilmani,
Executive Committee Member
The Tamil Flim Producers Council

10.Manobala,
Executive Committee Member
The Tamil Flim Producers Council

11.K.Balu,
Executive Committee Member
The Tamil Flim Producers Council

12.Manoj Kumar,
Executive Committee Member
The Tamil Flim Producers Council

13.Sakthi Chidambaram,
Executive Committee Member
The Tamil Flim Producers Council

14.Soundara Pandiyan ,
Executive Committee Member
The Tamil Flim Producers Council

15.R.Madhesh,
Executive Committee Member
The Tamil Flim Producers Council



16. Vijayamuralee,
Executive Committee Member
The Tamil Film Producers Council

17. A.L. Udhaya,
Executive Committee Member
The Tamil Film Producers Council

18. Baija Tom,
Executive Committee Member
The Tamil Film Producers Council

19. G.M. David Raj,
Executive Committee Member
The Tamil Film Producers Council

20. Babu Ganesh,
Executive Committee Member
The Tamil Film Producers Council

21. Rajeshwari Vendhan,
Executive Committee Member
The Tamil Film Producers Council

22. A.M. Rathnam,
Executive Committee Member
The Tamil Film Producers Council

23. Anbalaya K. Prabakaran,
Executive Committee Member
The Tamil Film Producers Council

24. K.K. Rajsirpy,
Executive Committee Member
The Tamil Film Producers Council

25. V. Palanivelu,
Executive Committee Member
The Tamil Film Producers Council

26. S. Ramachandran,
Executive Committee Member



The Tamil Film Producers Council

27.P.Primus,
Executive Committee Member
The Tamil Film Producers Council

28.V.Saravanan,
Executive Committee Member
The Tamil Film Producers Council

Defendants 2 to 28 are having office at
No. 606, Anna Salai,
Chennai 600 006.

29.Kottapadi J.Rajesh
Having office at No. 5, 4th Floor,
Rapid Skyline,
No. 8/14, Srikrishnapuram Street,
Royapettah,
Chennai 600 014.

...Defendants/ Respondents

Civil suit praying that this Hon'ble Court be pleased to pass
judgement and decree:

i) Declaring that the Minutes of the Meeting of the Executive
Committee of the 1st Defendant Association dated 07.12.2020 is null and
void without jurisdiction and contrary to the Memorandum of Association
and Rules and Regulations of the 1st Defendant Association.

ii) Permanent Injunction restraining the Defendants 1 to 28, their
men, agents, servants and anyone acting under them or acting on their
behalf from in any manner giving effect to and acting upon the Minutes of
Meeting of the Executive Committee of the 1st Defendant Association dated
07.12.2020.



iii) Directing the Defendant to pay the costs of the suit.

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O.A. No.757 of 2020

Original Application praying that this Hon'ble Court be pleased to pass an order of interim injunction restraining the Respondents 1 to 28/ Defendants 1 to 28 in giving effect to and acting upon the Minutes of Meeting dated 07/12/2020.

This suit along with the original application coming on this day before this Court for hearing in the presence of Mrs. S.R. Rajagopal, Senior Advocate for M/s. Vijayalakshmi Rajagopal, Advocates for the plaintiff in C.S. No. 404 of 2020 and for the Applicant in O.A.No. 757 of 2020 and Mr.R. Sagadevan, Advocate for the defendants 1, 2 to 10, 13 to 19, 22, 24 to 28 in C.S. No. 404 of 2020 and for the respondents 1, 2 to 10, 13 to 19, 22, 24 to 28 in O.A.No. 757 of 2020 and Mr. Pravin for M/s.P.Jesus Moris Ravi, Advocate for the 21st defendant in C.S. No. 404 of 2020 and for the 21st respondent in O.A.No. 757 of 2020 and the defendants 12, 20, 29 herein, not appearing in person or by advocate and upon reading the plaint filed in C.S. No. 404 of 2020 and the Judges Summons and the affidavit of Sridhar Arunachalam filed in O.A.No. 757 of 2020 and the resolution dated 09.01.2021 passed by the 1st Respondent council morefully



the Minutes of the Meeting of the Executive Committee of the 1st Defendant Council dated 07.12.2020 was cancelled on 09.01.2021 by the same Executive Committee, and this Court is of the opinion that no further proceedings in this suit is necessary, it is ordered and decreed as follows:-

That the Minutes of the Meeting of the Executive Committee of the 1st Defendant Association dated 07.12.2020 be and is hereby declared as null and void without jurisdiction and contrary to the Memorandum of Association and Rules and Regulations of the 1st Defendant Association.

2) That 1. The Tamil Film Producers Council rep. By its Honorary Secretary, 2. N. Ramasamy Alias Murali, President, The Tamil Film Producers Council 3. K.Kathiresan, Vice-President, 4. R.K.Suresh, Vice-President, 5. T.Mannan, Honorary Secretary, 6.R.Radhakrishnan, Honorary Secretary, 7.Chandra Prakash Jain, Treasurer, 8.R.V. Udhayakumar, Executive Committee Member, 9.Azhagan Tamilmani, Executive Committee Member, 10.Manobala, Executive Committee Member, 11.K.Balu, Executive Committee Member, 12.Manoj Kumar, Executive Committee Member, 13.Sakthi Chidambaram, Executive Committee Member, 14.Soundara Pandiyan, Executive Committee Member, 15.R.Madhesh, Executive Committee Member, 16.Vijayamuralee, Executive Committee Member, 17.A.L.Udhaya, Executive Committee



Member, 18.Baija Tom, Executive Committee Member, 19.G.M.David Raj, Executive Committee Member, 20.Babu Ganesh, Executive Committee Member, 21.Rajeshwari Vendhan, Executive Committee Member, 22.A.M.Rathnam, Executive Committee Member, 23.Anbalaya K.Prabakaran, Executive Committee Member, 24.K.K.Rajsirpy, Executive Committee Member, 25.V.Palanivelu, Executive Committee Member, 26.S.Ramachandran, Executive Committee Member, 27.P.Primus, Executive Committee Member, 28.V.Saravanan, Executive Committee Member, the defendants 1 to 28 herein, their men, agents, servants and anyone acting under them or acting on their behalf be and are hereby restrained by an order of permanent injunction from in any manner giving effect to and acting upon the Minutes of Meeting of the Executive Committee of the 1st Defendant Association dated 07.12.2020.

3. That the O.A.No. 757 of 2020, do stand closed.

4. That there shall be no costs of this suit.

Schedule – The Resolution dated 09.01.2021



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27/04/2021

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C.S. No.404 of 2020
and
O.A. No.757 of 2020

ORDER

DATED : 24.03.2021

THE HON'BLE MR.JUSTICE
R.PONGIAPPAN

FOR APPROVAL: 26/07/2021

APPROVED ON: 27/07/2021



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Date : 24.03.2021

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THE HON'BLE MR.JUSTICE R.PONGIAPPAN

C.S.No.404 of 2020
and O.A.No.757 of 2020

Sridhar Arunachalam

.. Plaintiff

vs.

1. The Tamil Film Producers Council
Represented by its Honorary Secretary
No.606, Anna Salai, Chennai 600006.
2. N. Ramasamy Alias Murali, President
3. K.Kathiresan, Vice-President
4. R.K.Suresh, Vice President
5. T.Mannan, Honorary Secretary
- 6.R.Radhakrishnan, Honorary Secretary
- 7.Chandra Prakash Jain, Treasurer
- 8.R.V. Udhayakumar, E.C.Member
- 9.Azhagan Tamilmani, E.C.Member
- 10.Manobala, E.C. Member
- 11.K.Balu, E.C. Member
- 12.Manoj Kumar, E.C. Member
- 13.Sakthi Chidambaram, E.C.Member
- 14.Soundara Pandiyan , E.C.Member
- 15.R.Madhesh, E.C.Member
- 16.Vijayamuralee, E.C.Member
- 17.A.L.Udhaya, E.C.Member
- 18.Baija Tom, E.C.Member
- 19.G.M.David Raj, E.C.Member
- 20.Babu Ganesh, E.C.Member
- 21.Rajeshwari Vendhan, E.C.Member,
- 22.A.M.Rathnam, E.C.Member
- 23.Anbalaya K.Prabakaran, E.C.Member
- 24.K.K.Rajiraj, E.C.Member
- 25.V.Palanivelu, E.C.Member



26.S.Ramachandran, E.C.Member

27.P.Primum, E.C.Member

28.V.Saravanan, E.C.Member

29.Kottapadi J.Rajesh

.. Defendants

Civil Suit filed under Order IV Rule 1 of Original Side Rules read with Order VII Rule 1 of Code of Civil Procedure praying to pass judgment and decree against the defendants.

i) To Declare the Minutes of the Meeting of the Executive Committee of the 1st Defendant Association dated 07.12.2020 is null and void without jurisdiction and contrary to the Memorandum of Association and Rules and Regulations of the 1st Defendant Association

ii) Permanent Injunction restraining the Defendants 1 to 28, their men, agents, servants and anyone acting under them or acting on their behalf from in any manner giving effect to and acting upon the Minutes of Meeting of the Executive Committee of the 1st Defendant Association dated 07.12.2020

iii) To direct the Defendant to pay the costs of the suit.

For Plaintiff : Mrs.S.R. Rajagopal,
Senior Advocate for
M/s. Vijayalakshmi Rajagopal

For defendants : Mr.R. Sagadevan
[for D1, D2 to D5, D6, D7, D8 to D10
D13 to D19, D22, D24 to D28]

Mr. Pravin for
M/s.P.Jesus Moris Ravi for D20

No appearance : D12, D20 and D29

Notice Not Ready : D11



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J U D G M E N T

One Mr. Sridhar Arunachalam has filed this suit against the Tamil Nadu Film Producers' Council and 28 others To Declare the Minutes of the Meeting of the Executive Committee of the 1st Defendant Association dated 07.12.2020 is null and void without jurisdiction and contrary to the Memorandum of Association and Rules and Regulations of the 1st Defendant Association and for Permanent Injunction restraining the Defendants 1 to 28, their men, agents, servants and anyone acting under them or acting on their behalf from in any manner giving effect to and acting upon the Minutes of Meeting of the Executive Committee of the 1st Defendant Association dated 07.12.2020 with costs.

2. Along with the suit the very same Plaintiff has filed Application in O.A.No.757 of 2020, against the Defendants in the main suit. Through in the said application he is seeking the relief to pass an order of interim injunction restraining the Respondents 1 to 28/Defendants 1 to 28 in giving effect to and acting upon the Minutes of the Meeting dated 07.12.2020.

3. In the said Application, 6th Respondent/6th Defendant has filed his counter affidavit. Thereafter Respondents 1 to 5, 7 to 10, 13 to 19, 22, 24 to



28 / Defendants 1 to 5, 7 to 10, 13 to 19, 22, 24 to 28 have filed Memo to adopt the counter filed by the 6th Respondent/6th defendant. Only in the said circumstances Mr.S.R. Rajagopal, learned Senior Advocate appeared on behalf of the Plaintiff made submission before this Court that in the counter affidavit filed by the Respondents it was admitted that in the Executive Committee Meeting conducted in the 1st Respondent Council on 09.01.2021, the pendency of this suit was discussed and after the discussion with regard to the legal opinion, procedure for amendment of bye-laws the Council has concluded to cancel the Executive Committee Resolution dated 07.12.2020 particularly in paragraphs 11 and 14 of creation of new post of Joint Secretary. He would further submit that since the claim sought for by the Plaintiff had already been considered by the Respondents/Defendant Council the suit may be decreed as prayed for.

4. In the reply to the said submissions, Mr.R. Sagadevan and Mr.Pravin learned counsels appeared on behalf of the Respondents/Defendants fairly conceded that the prayer sought for by the Plaintiff had already been discussed and thereafter resolution had also been passed on 09.01.2021. Further, in order to substantiate the same they have filed copy of the resolution dated 09.01.2021, wherein it was agreed by the



creation of new post of Joint Secretary was cancelled and shall not be given effect by way of the said resolution.

5. Therefore, in view of the same, since the Minutes of the Meeting of the Executive Committee of the 1st Defendant Council dated 07.12.2020 was cancelled on 09.01.2021 by the same Executive Committee, I am of the opinion that no further proceedings in this suit is necessary. Accordingly, suit is decreed as prayed for. Consequently, connected O.A.is closed. No costs. The resolution dated 09.01.2021 passed by the 1st Respondent Council shall form part of the decree.

Sd./-R.P.A.J.

24/03/2021

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.