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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

MONDAY, THE 13th DAY OF DECEMBER 2021

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

C.S.No.701 of 2019

1. T. Mannan

Proprietor of M/s Mannan Films,
S/o Theyagarajan,
No.1, Lady Mashwaran 1st cross street,
PallatMadhavaram Road,
Mahalingapuram,
Chennai - 600 024

2. Mr.K.Krishnan

Proprietor M/s Nandhini Devi Films,
S/o S.Karuppiah,
No.53, CRE Street,
Pudupet, Chennai - 600 002

...Plaintiffs

-versus-

1. Chennai Kancheepuram Thiruvallur District
Film Distributors Association
Rep. By its Secretary J.Jayakumar
No. 23, Meeran Sahib Street,
Chennai - 600 002

2. Mr.T.K. Arulpathi,
President

Chennai Kancheepuram Thiruvallur District
Film Distributors Association
No. 23, Meeran Sahib Street,
Chennai - 600 002



3. Mr.J.V. Rukmanthagan

President

Election Committee

Chennai Kancheepuram Thiruvallur District

Film Distributors Association

No. 23, Meeran Sahib Street,

Chennai - 600 002

4. Pipin H.Shah,

Secretary

Election Committee

Chennai Kancheepuram Thiruvallur District

Film Distributors Association

No. 23, Meeran Sahib Street,

Chennai - 600 002

5. N.Krishnamurthy

Member

Election Committee

Chennai Kancheepuram Thiruvallur District

Film Distributors Association

No. 23, Meeran Sahib Street,

Chennai - 600 002

6. P.B. Pathi

Member

Election Committee

Chennai Kancheepuram Thiruvallur District

Film Distributors Association

No. 23, Meeran Sahib Street,

Chennai - 600 002

7. L.Purusothaman

Member

Election Committee

Chennai Kancheepuram Thiruvallur District

Film Distributors Association

No. 23, Meeran Sahib Street,

Chennai - 600 002

... Defendants



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Civil Suit praying that this Hon'ble Court be pleased to pass a Judgment and Decree:

a) For declaration that the appointment of Election committee viz Defendants 3 to 7 for conducting the election of the first defendant association for the period 2019 to 2021 as null and void.

b) For a Mandatory injunction directing the 1st defendant association to conduct the elections of the first defendant office bearers in accordance with the bye-laws of the 1st defendant Association and the Tamil Nadu Societies Registration Act 1975 for all the subsequent election thereto.

c) Directing the defendants to pay the plaintiffs the cost of the suit.

This Civil Suit coming on this day before this Court for hearing in the presence of Ms.Archana for M/s. Waron & Sairams, Advocate for the defendants 1 to 7 herein and the plaintiff herein, not appearing in person or by advocate and this Court having observed that since there is no representation on the side of the plaintiffs, it can now be inferred that the plaintiffs are not interested to prosecute this Civil Suit, it is ordered as



follows:-

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That the suit in C.S.No.701 of 2019, be and is hereby dismissed for non-prosecution.

2) That there shall be no costs of this suit.

WITNESS THE HON'BLE MR. JUSTICE MUNISHWAR NATH BHANDARI, ACTING CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 13th DAY OF DECEMBER 2021.

Sd/-

ASSISTANT REGISTRAR(O.S.- I)

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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23.12.2021

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C.S.No.701 of 2019

ORDER

DATED : 13.12.2021

THE HON'BLE MR. JUSTICE
ABDUL QUDDHOSE

FOR APPROVAL: 27.12.2021

APPROVED ON : 04.01.2022



6. P.B. Pathi

Member

Election Committee

Chennai Kancheepuram Thiruvallur District

Film Distributors Association

7. L.Purusothaman

Member

Election Committee

Chennai Kancheepuram Thiruvallur District

Film Distributors Association

... Defendants

Prayer: Civil Suit filed under Order IV, Rule 1 of OS Rules r/w order VII Rule 1 CPC to pass a judgment and decree for the following reliefs:-

a) For declaration that the appointment of Election committee viz., defendants 3 to 7 for conducting the election of the first defendant association for the period 2019 to 2021 as null and void.

b) For a Mandatory injunction directing the 1st defendant association to conduct the elections of the first defendant office bearers in accordance with the bye-laws of the 1st defendant Association and the Tamil Nadu Societies Registration Act 1975 for all the subsequent election thereto.

c) Directing the defendants to pay the plaintiffs the cost of the suit and may pass any such or other orders that may be necessary in the circumstance of the case.

For Defendants : Ms.Archana
for
M/s.Waron & Sairams
for D1 to D7.



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JUDGMENT

The matter is listed under the caption “for dismissal”, today. There is no representation on the side of the plaintiffs once again. The learned counsel for the defendants 1 to 7 is present. Even on the last hearing date i.e., on 06.12.2021, the learned counsel for the defendants submitted before this Court that the suit has now become infructuous, since the election pertains to the year 2019 and the office bearers have already taken charge. Since there is no representation on the side of the plaintiffs, it can now be inferred that the plaintiffs are not interested to prosecute this Civil Suit. Accordingly, the Civil Suit is dismissed as non prosecution. No costs.

Sd./-A.Q.J.

13.12.2021

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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