



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 1ST DAY OF APRIL 2022

THE HON'BLE MR. JUSTICE P.VELMURUGAN

A.No.860 of 2022

in

C.S. No.357 of 2021

C.S. No.357 of 2021:-

P.Prabu,
S/o.Periyasamy,
C-304, LCS Utopia,
VGP Shanthi Nagar,
Pallikaranai, Chennai 600 100.

2.M.K.Madhanlal @ M.K.Madan Kennedy
S/o.M.Kulanthai Raj,
152, Madurai Veeran Kovil Street,
Venkateswara Extension,
Kottapattu, Trichy 620 004.

3. T.Kumar
S/o.K.Thangavelu,
199, Sivasampuram,
Chinnapudur,
Salem 636 007.

4. A.Kalimuthurajan
S/o.A.K.Asirvatham,
72/11K, 11E, St.Thomas Road,
Opp Anna Vilayattarangam,
M.L.Pillai Nagar,
Palayamkottai,
Tirunelveli 627 002.



5.N.Karunakaran,
S/o.V.Narayanan,
7, Sudha Bavanam,
Thai Mookambigai Nagar,
Royal Street, S Alankulam,
Madurai 625 017.

6.A.V.Rammohan,
S/oT.R.Venkatesan,
75, Udayappa Colony,
Sankar Nagar Main Road,
Salem 636 007.

7.M.Sivakumar,
S/o.P.Muthaiah,
12-6/23/2, Karpaga Vinayagar
Kovil Street, S.V.P.Nagar,
1st Cross, S.Alangulam,
Madurai 625 017.

8.S.Devaraj,
S/o.P.Sundaram,
Kovilhottam,
udayampalayam,
Chinnavedampatti Post,
Coimbatore 641 049.

... Plaintiffs

Vs.

1.Tamil Nadu Gymnastics Association,
(TNGA) Rep. By its General Secretary,
No.1-C, Kaveri Nagar, Beach 5th Street,
Kottivakkam, Chennai 600 041.

2.Gymnastics Federation of India,
Rep. By its General Secretary,
Chingamkha Yanglem Leikai,
P.O. Singjamei – 795008
Imphal, Manipur



3. Tamil Nadu State Olympic Association
Rep. by its General Secretary,
Room No.78, Jawaharlal Nehru Stadium,
Chennai 600 003.

4. P.M. Roagabarani, President,
Tamil Nadu Gymnastics Association,
No.1-C, Kaveri Nagar,
Beach 5th Street, Kottivakkam,
Chennai 600 041.

5. V. Premkumar,
Vice President,
Tamil Nadu Gymnastics Association
No.1-C, Kaveri Nagar,
Beach 5th Street, Kottivakkam,
Chennai 600 041.

6. S.K. Ramanathan,
Vice President,
Tamil Nadu Gymnastics Association
No.1-C, Kaveri Nagar,
Beach 5th Street, Kottivakkam,
Chennai 600 041.

7. J. Shankar,
Vice President,
Tamil Nadu Gymnastics Association
No.1-C, Kaveri Nagar,
Beach 5th Street, Kottivakkam,
Chennai 600 041.

8. P. Satheeshkumar
Vice President,
Tamil Nadu Gymnastics Association
No.1-C, Kaveri Nagar,
Beach 5th Street, Kottivakkam,
Chennai 600 041.



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9.P.Selvaraj
Vice President,
Tamil Nadu Gymnastics Association
No.1-C, Kaveri Nagar,
Beach 5th Street, Kottivakkam,
Chennai 600 041.

10.R.Sivaji
Vice President,
Tamil Nadu Gymnastics Association
No.1-C, Kaveri Nagar,
Beach 5th Street, Kottivakkam,
Chennai 600 041.

11.Vikram Naidu,
Vice President,
Tamil Nadu Gymnastics Association
No.1-C, Kaveri Nagar,
Beach 5th Street, Kottivakkam,
Chennai 600 041.

12.G.Bala,
General Secretary
Tamil Nadu Gymnastics Association
No.1-C, Kaveri Nagar,
Beach 5th Street, Kottivakkam,
Chennai 600 041.

13.Dr.Arul Prakash,
Joint Secretary
Tamil Nadu Gymnastics Association
No.1-C, Kaveri Nagar,
Beach 5th Street, Kottivakkam,
Chennai 600 041.

14.G.Gobu
Joint Secretary
Tamil Nadu Gymnastics Association
No.1-C, Kaveri Nagar,
Beach 5th Street, Kottivakkam,



Chennai 600 041.

15.M.Pushpa

Joint Secretary

Tamil Nadu Gymnastics Association

No.1-C, Kaveri Nagar,

Beach 5th Street, Kottivakkam,

Chennai 600 041.

16.Sharon Soares,

Treasurer

Tamil Nadu Gymnastics Association

No.1-C, Kaveri Nagar,

Beach 5th Street, Kottivakkam,

Chennai 600 041.

17.J.P.Muniappan

Assistant Secretary

Tamil Nadu Gymnastics Association

No.1-C, Kaveri Nagar,

Beach 5th Street, Kottivakkam,

Chennai 600 041.

18.A.Rajeshkumar

Tamil Nadu Gymnastics Association

No.1-C, Kaveri Nagar,

Beach 5th Street, Kottivakkam,

Chennai 600 041.

19.T.Raju

Assistant Secretary

Tamil Nadu Gymnastics Association

No.1-C, Kaveri Nagar,

Beach 5th Street, Kottivakkam,

Chennai 600 041.

20.Mr.L.Chandra Kumar

Election Officer

No.14, Sunkurama Street,

3rd Floor, Parrys, Chennai – 1.

(included as one of the Defendant
in the capacity as Election Officer,



appointed as per the Judgment
passed in C.S.No.239 of 2020)

... Defendants

A.No.860 of 2022:-

P.M.Roagabarani, President,
Tamil Nadu Gymnastics Association,
No.1-C, Kaveri Nagar,
Beach 5th Street, Kottivakkam,
Chennai 600 041.
(Actual Address East Coast Road,
Periyapattu, Silambimangalam Post,
Bhuvanagiri Taluk, Cuddalore District.

... Applicant / 4th Defendant

Vs.

1.P.Prabu,
S/o.Periyasamy,
C-304, LCS Utopia,
VGP Shanthi Nagar,
Pallikaranai, Chennai 600 100.

2.M.K.Madhanlal @ M.K.Madan Kennedy
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8.S.Devaraj,
S/o.P.Sundaram,
Kovilhottam,
udayampalayam,
Chinnavedampatti Post,
Coimbatore 641 049.

...Plaintiffs / Respondents 1-8

9.Tamil Nadu Gymnastics Association,
(TNGA) Rep. By its General Secretary,
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Kottivakkam, Chennai 600 041.

10.Gymnastics Federation of India,
Rep. By its General Secretary,
Chingamakha Yanglem Leikai,
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Imphal, Manipur

11.Tamil Nadu State Olympic Association
Rep.by its General Secretary,
Room No.78, Jawaharlal Nehru Stadium,



Chennai 600 003.

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12.V.Premkumar,
Vice President,
Tamil Nadu Gymnastics Association
No.1-C, Kaveri Nagar,
Beach 5th Street, Kottivakkam,
Chennai 600 041.

13.S.K.Ramanathan,
Vice President,
Tamil Nadu Gymnastics Association
No.1-C, Kaveri Nagar,
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Chennai 600 041.

14.J.Shankar,
Vice President,
Tamil Nadu Gymnastics Association
No.1-C, Kaveri Nagar,
Beach 5th Street, Kottivakkam,
Chennai 600 041.

15.P.Satheeshkumar
Vice President,
Tamil Nadu Gymnastics Association
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Chennai 600 041.

16.P.Selvaraj
Vice President,
Tamil Nadu Gymnastics Association
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Beach 5th Street, Kottivakkam,
Chennai 600 041.

17.R.Sivaji
Vice President,
Tamil Nadu Gymnastics Association
No.1-C, Kaveri Nagar,
Beach 5th Street, Kottivakkam,



Chennai 600 041.

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18. Vikram Naidu,
Vice President,
Tamil Nadu Gymnastics Association
No.1-C, Kaveri Nagar,
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Chennai 600 041.

19. G. Bala,
General Secretary
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20. Dr. Arul Prakash,
Joint Secretary
Tamil Nadu Gymnastics Association
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21. G. Gobu
Joint Secretary
Tamil Nadu Gymnastics Association
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22. M. Pushpa
Joint Secretary
Tamil Nadu Gymnastics Association
No.1-C, Kaveri Nagar,
Beach 5th Street, Kottivakkam,
Chennai 600 041.

23. Sharon Soares,
Treasurer
Tamil Nadu Gymnastics Association
No.1-C, Kaveri Nagar,
Beach 5th Street, Kottivakkam,



Chennai 600 041.

24.J.P.Muniappan
Assistant Secretary
Tamil Nadu Gymnastics Association
No.1-C, Kaveri Nagar,
Beach 5th Street, Kottivakkam,
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25.A.Rajeshkumar
Tamil Nadu Gymnastics Association
No.1-C, Kaveri Nagar,
Beach 5th Street, Kottivakkam,
Chennai 600 041.

26.T.Raju
Assistant Secretary
Tamil Nadu Gymnastics Association
No.1-C, Kaveri Nagar,
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27.Mr.L.Chandra Kumar
Election Officer
No.14, Sunkurama Street,
3rd Floor, Parrys, Chennai – 1.
(included as one of the Defendant
in the capacity as Election Officer,
appointed as per the Judgment
passed in C.S.No.239 of 2020)

... Respondents / Defendants

Application praying that this Hon'ble Court be pleased to Reject
the Plaintiff in above suit in C.S.No.357 of 2021.

This Application coming on this day before this court for hearing,

the court made the following order:-

This application has been filed by the applicant/fourth defendant



to reject the plaint in the suit in C.S.No.357 of 2021.

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2. According to the learned counsel for the applicant/fourth defendant that the plaintiffs/respondents have no cause of action to file the suit.

3. Heard the learned counsel appearing on either side and perused the materials available on record.

4. It is a well settled proposition of law that at the time of deciding the application under order VII Rule 11, the Court has to see only the averments in the plaint and documents annexed therewith, not the defence taken by the defendant. Applicant has stated that the plaintiff has no cause of action to file the suit, whereas, under Order VII Rule 11(a) says that the plaint can be rejected only on the ground of non-disclosure of cause of action and not on the ground of no cause of action. As to whether there is a cause of action or not, that can be decided only after trial and not at this stage. Hence, the applicant has not made out any ground to reject the plaint. At this juncture, the application is dismissed.



advance before the Registry.

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6. List the suit on 20.04.2022.

Sd./-PVJ.

01/04/2022

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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

EVK 08/04/2022