



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

MONDAY, THE 25TH DAY OF APRIL 2022

THE HON'BLE MR. JUSTICE P.VELMURUGAN

C.S.No.204 of 2021

and

O.A.No.369 of 2021

Mrs.Kunjunjamma George,
W/o. late P.V.George
No.25, Pycrofts Garden Road,
Chennai - 600 031

... Plaintiff/Applicant

Vs.

1. The Madras Medical Mission,
(a Society registered under the
Tamil Nadu Societies Registration
Act, 1975)
Having its registered office at
No.4-A, Dr.J.Jayalalitha Nagar,
Mogappair,
Chennai – 600 037.

2. M.M.Philip,
Hon.Secretary (Interim)
The Madras Medical Mission,
Residing at: 29 College Road,
Chennai – 600 006.

... Defendants/Respondents



Civil suit praying that this Hon'ble Court be pleased to pass a judgment and decree in favour of the plaintiff and against the defendant as follows:-

a) Declare that notice dated 02.06.2021 issued by the 2nd defendant captioned 'Notice of 38th Annual General Meeting 2020' is illegal, null and void as the same is contrary to the by-laws of the 1st defendant society and has been issued in a mala fide manner with ulterior motives;

b) Permanent injunction restraining the 2nd defendant from calling for or conducting any Annual General Body meetings of the 1st Defendant Society;

c) For the costs of the suit;

O.A.No.369 of 2021:

Original Application praying that this Hon'ble court be pleased to grant interim injunction restraining the 2nd respondent/defendant from conducting the 38th Annual General Meeting of the 1st Respondent/Defendant Society scheduled to be conducted on 27.06.2021;

This civil suit along with this application coming on this day before this Court for hearing in the presence of Mr.Hari Radhakrishnan, Advocate for the plaintiff in C.S.No.204 of 2021 and for the applicant in O.A.No.369



of 2021 and Mr.Hallel Ben, Advocate for the 1st defendant in C.S.No.204 of 2021 and for the 1st respondent in O.A.No.369 of 2021, and Mr.Thomas T.Jacob, Advocate for the 2nd defendant in C.S.No.204 of 2021, and for the 2nd respondent in O.A.No.369 of 2021, and upon reading the plaint filed in C.S.No.204 of 2021 and the judges summons and the affidavit of Kunjunamma George filed in O.A.No.369 of 2021, and the Learned counsel for the plaintiff herein having filed a memo dated 09.03.2022 stating that the relief sought for in the suit has become infructuous and this court doth recording the said memo, **it is ordered as follows:-**

That the suit in C.S.No.204 of 2021 be and is hereby dismissed as infructuous.

2. That the O.A.No.369 of 2021 do stand closed.

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

WITNESS THE HON'BLE MR. JUSTICE MUNISHWAR NATH BHANDARI, CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 25TH DAY OF APRIL 2022.

Sd./-

ASSISTANT REGISTRAR (O.S.I)

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)



DL

04.05.2022

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C.S.No.204 of 2021
and
O.A.No.369 of 2021

ORDER

DATED : 25.04.2022

THE HON'BLE MR. JUSTICE
P.VELMURUGAN

FOR APPROVAL :05.05.2022

APPROVED ON :05.05.2022



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2022

CORAM:

THE HON'BLE Mr. JUSTICE P.VELMURUGAN

C.S.No.204 of 2021

&

O.A.No.369 of 2021

Kunjunjamma George,
W/o, late P.V.George

... Plaintiff

Vs.

1. The Madras Medical Mission,
(a Society registered under the
Tamil Nadu Societies Registration
Act, 1975)
Having its registered office at
No.4-A, Dr.J.Jayalalitha Nagar,
Mogappair,
Chennai – 600 037.

2. M.M.Philip,
Hon.Secretary (Interim)
The Madras Medical Mission,
Residing at 29 College Road,
Chennai – 600 006.

... Defendants

Prayer:

Civil Suit filed under Order VII Rule 1 of the Code of Civil Procedure
1908 read with Order IV Rule 1 of the High Court O.S.Rules, to declare that
notice dated 02.06.2021 issued by the second defendant captioned ' Notice
of 38th Annual General Meeting 2020' is illegal, null and void as the same is



contrary to the by-laws of the first defendant Society and has been issued in a malafide manner with ulterior motives and permanent injunction restraining the second defendant from calling or conduction any Annual General Body Meetings of the first defendant Society.

For Plaintiff : Mr.Hari Radhakrishnan

For Defendant 1 : Mr.Hallel Ben

For Defendant 2 : Mr.Thomas T.Jacob

J U D G M E N T

Learned counsel for the plaintiff has filed a memo stating that the relief sought for in the suit has become infructuous. The said memo is recorded.

In view of the same, the Civil Suit is dismissed as infructuous. Consequently, connected application is closed. No costs.

Sd./-P.V.J.

25.04.2022

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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