



RESERVED ON	22.02.2022
PRONOUNCED ON	24.03.2022

A.No.2182 of 2020

in

C.S.No.553 of 2019

P.VELMURUGAN, J.

C.S.No.553 of 2019 has been filed to declare the election of office of the Managing Committee, as per the notice dated 01.09.2019 to be held on 29.09.2019 as illegal, bad in law and null and void and for permanent injunction restraining the defendants 2 to 12 from conducting election in pursuance of the notice, dated 01.09.2019.

2.This application has been filed by the applicant/plaintiff, praying to amend the plaint filed in C.S.No.553 of 2019 in the manner detailed in the schedule to the Judge's Summons.

3.The learned counsel for the applicant would submit that during the pendency of the suit the 1st respondent Sabha conducted elections to the Managing Committee on 29.09.2019 and elected the members of the Committee and hence, it would be necessary to amend the plaint to bring



on record the subsequent events that transpired during the pendency of the suit.

4.The learned counsel for the respondents, by referring the detailed counter filed by the first respondent contended that this Court vide order dated 27.09.2019 dismissed the applications in O.A.No.863 of 2019 and A.No.7132 of 2019) seeking for interim injunction restraining the respondents from conducting the elections for the office of the Managing Committee and for appointment of Advocate Commissioner to conduct elections to the said Committee. Thereafter, 1st respondent Sabha conducted the elections in a fair and proper manner on 29.09.2019. After a period of nearly one year, now the applicant has now come forward with the present application seeking to amend the plaint by raising false allegations regarding the conduct of the election of the 1st respondent and hence, he prays for dismissal of the application.

5.Heard the learned counsel for the applicant and the learned counsel for the respondents and also perused the materials available on record.



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6. A careful perusal of the affidavit and plaint averments and also considering the submissions made by the learned counsel on either side, it comes to light that during the pendency of the suit, the 1st respondent Sabha conducted elections for various posts in the Managing Committee on 29.09.2019 and proposed respondents 13 to 18 are elected as Committee members.

7. In the light of the above, this Court is of the view that in order to bring the subsequent events in the suit, the plaint is to be amended and hence, this application is allowed.

8. The learned counsel for the applicant/plaintiff is directed to carry out necessary amendment and file amended copy of the plaint before the Registry.

24.03.2022

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