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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 4TH DAY OF FEBRUARY 2022

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

C.S.No.303 of 2020

Mr.S.Siby Rajesh,
S/o.N.Srinivasan
No980, DGP House,
12th Street, ERI Scheme,
Mogappair, Chennai

..Plaintiff

vs

1. The Chennai Rifle Club
Rep.by its Secretary,
"Affiliated to National Rifle Association of India"
No.24, Old Police Commissioner Office Complex,
Pantheon Road, Egmore,
Chennai- 600 008

2.Mr.Mahesh Kumar Agarwal,
President
The Chennai Rifle Club
"Affiliated to National Rifle Association of India"
No.24, Old Police Commissioner Office Complex,
Pantheon Road, Egmore,
Chennai- 600 008

3.M.Gopinath
Joint Secretary,
The Chennai Rifle Club
"Affiliated to National Rifle Association of India"
No.24, Old Police Commissioner Office Complex,
Pantheon Road, Egmore,
Chennai- 600 008

..Defendants

Civil Suit praying that this Hon'ble Court be pleased to pass a

<https://hcservices.ecourts.gov.in/hcservices/>

judgment and decree against the defendants:



a)for a declaration, declaring that the Executiv Committee Meeting held on 02.10.2020 of the 1st defendant club and the resolutions said to have been passed in the said meeting as recorded in the minutes, signed by the defendants 2 and 3 herein as illegal, ultra vires the rules and regulations of the 1st defendant club;

b)for permanent injunction restraining the defendants from in any manner conducting a fresh election for the post of Honorary Secretary of the 1st defendant club pursuant to the purported minutes of the meeting of the executive committee of the first defendant club dated 02.10.2020.

c)for permanent injunction restraining the 3rd defendant herein from discharging the functions of the Honorary Secretary and operating the bank accounts of the 1st defendant club;

e)for cost of the suit

This civil suit coming on this day before this Court for hearing in the presence of Mr.R.Clement Roy, Advocate for the plaintiff herein and Mr.Edwin Prabhakar, Special Government Pleader appearing for the defendants 1 and 2 herein, and upon reading the plaint filed herein and the memo dated 04.02.2022 filed by the learned counsel for the plaintiff herein seeking permission of this Court to withdraw the suit, as according to the



sought for refund of the court fee paid in the suit, and this Court doth recording the said statement,

It is ordered as follows:

That the suit in C.S.No.303 of 2020 be and is hereby dismissed as "settled out of court".

2. That a certificate under section 69 of Tamil Nadu Court Fees and Suits Valuation Act, 1955 (Amendment Act) do issue herein, out of and under the seal of this court in favour of S.Siby Rajesh, the plaintiff herein, authorising him, to receive from the Pay and Accounts Office, High Court Chennai, for a sum of Rs.1,05,230/- (Rupees One Lakh five Thousand Two Hundred and Thirty only) being the entire court fee paid on the plaint by the plaintiff herein.

3. 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 4TH DAY OF FEBRUARY 2022.

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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C.S.No.303 of 2020

ORDER

DATED : 04.02.2022

THE HON'BLE MR. JUSTICE
ABDUL QUDDHOSE

FOR APPROVAL: 12.04.2022

APPROVED ON : 13.04.2022



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.02.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

C.S.No. 303 of 2020

Mr.S.Siby Rajesh

... Plaintiff

Versus

1. The Chennai Rifle Club

Rep. by its Secretary

“Affiliated to National Rifle Association of India”,

No.24, Old Police Commissioner Office Complex,

Patheon Road, Egmore,

Chennai - 600 008.

2. Mr.Mahesh Kumar Agarwal,

3. M.Gopinath

... Defendants

Plaint filed under Order VII, Rule 1 of C.P.C r/w Order IV, Rule 1

of Original Side Rules.

For Plaintiff : Mr.R.Clement Roy

For D1 and D2 : Mr. Edwin Prabakar
Special Government Pleader

ORDER

The suit is filed for the following reliefs:

a) for a declaration, declaring that the Executive Committee

Meeting held on 02.10.2020 of the first defendant club and the resolutions

said to have been passed in the said meeting as recorded in the minutes,

signed by the Defendants 2 and 3 herein as illegal, ultra vires the rules and

regulations of the first defendant club;



b) for permanent injunction restraining the defendants from in any manner conducting a fresh election for the post of Honorary Secretary of the first defendant club pursuant to the purported minutes of the meeting of the executive Committee of the first defendant club dated 02.10.2020;

c) for permanent injunction restraining the third defendant herein from discharging the function of the Honorary Secretary and operating the bank accounts of the first defendant Club.

2. Learned counsel for the plaintiff has filed a memo dated 04.02.2022, seeking permission of this Court to withdraw the suit, as according to the plaintiff, the suit has been settled out of Court. The plaintiff has also sought for refund of the Court fee paid in the suit.

3. The said statement is recorded.

4. Accordingly, the suit is dismissed as “settled out of Court”.

Refund of entire Court fee is ordered. No costs.

Sd/-A.Q.J.
04.02.2022

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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