



WEB COPY



A.No.3645 of 2021 in
CS.No.203 of 2021

A.No.3645 of 2021 in
CS.No.203 of 2021

P.VELMURUGAN, J.

This application has been filed by the applicants seeking permission of this Court to implead themselves as defendants 2 to 18 in the suit.

2. The Tamil Nadu Roller Skating Association is the plaintiff, Roller Skating Federation of India is the defendant and the applicants herein are the District Associations. The first respondent/plaintiff has filed the suit in CS.No.203 of 2021 for (a) declaration that the defendant is not entitled or empowered to call for elections to the Plaintiff Society which is an independent Society registered under the provisions of the Tamil Nadu Societies Registration Act, 1975, (b) permanent injunction restraining the defendant from conducting any election of the Plaintiff Society in pursuance of their election notification dated 04.06.2021 issued by the Defendant as the same is non-est, illegal and not binding on the plaintiff and (c) for a permanent injunction restraining the Defendant from interfering in the internal administration of the Plaintiff society.



A.No.3645 of 2021 in
CS.No.203 of 2021

WEB COPY

3. During the pendency of the suit, all other district associations have jointly filed this application to implead themselves as defendants 2 to 18 in the suit.

4. Learned counsel for the applicants/proposed defendants 2 to 18 would submit that the applicants/proposed defendants 2 to 18 are the District Associations and the Plaintiff Association is only meant for all the District Associations. Therefore, they are the necessary party to the suit.

5. Learned counsel for the first respondent/Plaintiff would submit that the applicants/proposed defendants 2 to 18 are neither necessary nor proper party as they have also made their allegations against the Plaintiff Association before the Registrar of Societies. Therefore, their presence is not necessary in the suit and without their presence, the court can adjudicate the suit effectively.

6. Learned counsel for the second respondent/sole defendant has no serious objection for impleading the applicants/defendants 2 to 18 in the suit.



A.No.3645 of 2021 in
CS.No.203 of 2021

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

8. Admittedly, the first respondent/Plaintiff is the State Association and the applicants/proposed defendants 2 to 18 are the District Associations. The rights and interest of the applicants/proposed defendants 2 to 18 have also been involved in this suit as they are the members of the first respondent/plaintiff Association. Therefore, they are the necessary party to the suit filed by the plaintiff and there is absolute necessary for the presence of the applicants/proposed defendants 2 to 18 to decide the suit as no effective decision has been arrived by this Court, without their presence. Therefore, the presence of the applicants/proposed defendants 2 to 18 is necessary for arriving at a just conclusion. This Court feels that this application has to be allowed. According A.No.3645 of 2021 is allowed and the learned counsel for the plaintiff is directed to carry out the amendment and file the amended copy of the plaint before 13.04.2022.

9. Post the matter on 13.04.2022.

18.03.2022

nl



WEB COPY



A.No.3645 of 2021 in
CS.No.203 of 2021

P.VELMURUGAN, J.

nl

A.No.3645 of 2021 in
CS.No.203 of 2021

18.03.2022