



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

WEDNESDAY, THE 05TH DAY OF JANUARY 2022

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

O.A. Nos.726 and 727 of 2021

O.A. No.726 of 2021:-

In the matter of Arbitration and
Conciliation Act, 1996

and

In respect of Election Committee
nominated on 27.09.2021 under bye
laws of EFOWA

T.S.JAGANATHAN
Election Convenor,
M/s.Esplanade Chennai Flats
Owners Welfare Association,
EMMAR Apartment, Tower-24,
Flat No.201, No.75,
Vaidhyanathan Street,
Tondiarpet, Chennai 600 081.

..Applicant in both
applications

-Vs-

M/S. ESPLANADE CHENNAI FLATS
OWNERS WELFARE ASSOCIATION
Rep.by its Secretary, Mr.Anthony Clifford,
No.75, New Vaidhyanathan Street,
Tondiarpet, Chennai - 600 081.

..Respondent in both
applications



O.A.No.726 of 2021:

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Original Application praying that this Hon'ble Court be pleased to pass an order of interim injunction restraining the respondent from conducting election on 28/11/2021 for electing the Executive Committee members by any other Election Committee other than the one legally nominated in the AGM on 29/09/2021.

O.A.No.727 of 2021:

Original Application praying that this Hon'ble Court be pleased to pass an order of interim injunction restraining the respondent from removing the applicant, from the membership of Election Committee and as Election Convenor nominated by the respondent on 29/09/2021 by convening Emergency General body Meeting on 11/11/2021 or any other subsequent dates.

These Original applications are coming on this day before this court for hearing the court made the following order:

<https://hcservices.ecourts.gov.in/hcservices/> The prayer sought for in these applications has become infructuous since election has already been conducted on 28.11.2021. However,



learned counsel for the applicant submits that there are several irregularities committed by some of the Office Bearers of the Association.

2. If aggrieved, the applicant will have to redress his grievance only before the arbitral Tribunal in the arbitration proceedings and not in this application.

3. Therefore, these applications are dismissed as infructuous.

Sd/.A.Q.J.
05.01.2022

//Certified to be a true copy//

Dated at Madras this the day of 2022.

SU./11.01.2022

COURT OFFICER(O.S.)

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