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C.S.NO.55 OF 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.10.2023

CORAM

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

C.S.NO.55 OF 2021

AND

O.A.NOS.87, 454 AND 455 OF 2021

AND

A.NOS.739, 2585, 3354 AND 3355 OF 2021

Suman Yaddanapudi

.. Plaintiff

VS.

- 1.Dr.Sanjay Kapoor
- 2.Bharat Singh Chauhan
- 3.Anandha D.P.
- 4.Bhavesht Patel
- 5.Dr.Vipnesh Bhardwaj
- 6.Ajay Ajmera
- 7.P.C.Laliathanga
- 8.E.R.Niapung Konia
- 9.Rajesh R.
- 10.Mahendra Dhakal
- 11.Atul Kumar
- 12.Mughaho Awomi
- 13.Daljeet Khanna
- 14.Atanu Lahiri
- 15.Naresh Sharma

16.Hon'ble Mr.Justice K.Kannan (Retd.)

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Returning Officer

All India Chess Federation Elections 2020-2023

Having office at

3/11, Lakshmi Colony, North Crescent Road,
T.Nagar, Chennai – 600 017.

17.All India Chess Federation

(Regd. Society, Regn. No.125/1958)

Having its registered office at

Room No.70, Jawaharlal Nehru Stadium,
Periyamet, Chennai – 600 003.

18.Andhra Pradesh Chess Association

Through its Secretary

Mr.Challa Ravindra Raju

(18th defendant impleaded as per order
dated 14.12.2021 in A.No.3248/2021
and time extended as per order dated
05.01.2022)

.. Defendants

PRAYER: Civil Suit filed under Order VII Rule 1 of Code of Civil Procedure read with Order IV Rule 1 of Madras High Court Original Side Rules for the following reliefs :

(a) to declare that the voting process / polling of the election of the All India Chess Federation [2020-2023] dated 04.01.2021 is null and void;

(b) to declare that the Form – 15 Declaration of Results of the All India Chess Federation by the Hon'ble Returning Officer dated 04.01.2021 is null and void;

(c) for costs of the present suit.



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For Plaintiff : Mr.S.Prabhakaran
For Defendants : Mr.P.Wilson Topaz
2, 5, 9 and 17
For Defendant-14 : Mr.V.Raghavan
For Defendant-18 : Mr.S.N.Ravichandran
for Mr.R.D.Ashok Kumar

J U D G M E N T

When the matter came up before this Court in an earlier occasion in C.S.Nos.25, 185, 207 and 209 of 2020 and A.Nos.305, 306, 1438, 1493, 1580 and 1582 of 2020 and O.A.Nos.310 311, 312 and 313 of 2020 and A.Nos.1672, 1673, 2119, 2312 and 2402 of 2020 and O.A.Nos.365, 366, 367 and 368 of 2020 and A.Nos.1847, 1848 and 2315 of 2020 and A.Nos.1864, 1865, 2191 and 2314 of 2020, this Court appointed Hon'ble Mr.Justice Kannan, Judge (Retired) as Election Officer. Pursuant to the order passed by this Court, the Election Officer has conducted election and the results have been declared. Now, the present Suit has been filed to declare that the voting process / polling of the elections of the All India Chess Federation [2020-2023] dated 04.01.2021 as null and void.



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2. When election has been conducted by the Election Officer appointed by this Court, this Court is of the view that the voting process / polling of the elections cannot be challenged by way of filing Suit. If the plaintiff is aggrieved by the election results, he could have challenged the very election itself and not the election process. Since the election has already been conducted and results have been declared, the prayer made in the Suit becomes infructuous.

3. Accordingly, the Suit is dismissed as infructuous. No costs. Consequently, connected applications and original applications are closed.

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