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C.R.P.NPD.No.3166 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 16/6/2023

C O R A M

THE HONOURABLE Dr.JUSTICE D.NAGARJUN

Civil Revision Petition PD No.3166 of 2022

V.G.Selva Raja ... Petitioner

Vs

1. The District Registrar of Societies
Chennai Central
Bharathi Salai
Chennai 600 014.
2. The Chitra Avenue Flat Owners
Welfare Association
rep. By Ad hc Committee
through its Chief Executive Officers/
Authorized Signatories
Chitra Avenue, No.9
Choolaimedu High Road
Chennai 600 094.
3. S. Linal Amalraj
4. S. Giridharan
5. M.S.Moorthy ... Respondents



C.R.P.NPD.No.3166 of 2022

Prayer: Petition filed under Article 227 of the Constitution of India against the fair order passed in O.S.SR.No.21790 of 2022 on the file of the I Assistant Judge, City Civil Court, Chennai, dated 20/9/2022.

For Petitioner	...	Mr.S.Kamadevan
For respondents	...	Mr.M.R.Gokul Krishnan Additional Government Pleader for R.1.
		No appearance for R.R.2 and 3.
		Mr.Y.Kajanavas for R.4
		Mr.Ashok Menon for R.5.

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ORDER

This petition is filed seeking to set aside the order dated 20/9/2022 passed in O.S.SR.No.21790 of 2022, on the file of the learned I Assistant Judge, City Civil Court, Chennai.

2. It is submitted by the learned counsel for the petitioner that he has filed a suit against the respondents/defendants for declaration that election procedure, dated 29/8/2022 notified by the fourth defendant as



C.R.P.NPD.No.3166 of 2022

null and void and consequently, declare the Annual General Body Meeting of “Chitra Avenue Flat Owners Welfare Association” to be convened by the fourth deendant on 25/9/2022 as illegal and connected issues.

3. It is submitted that when the suit was presented, the learned Judge has rejected the plaint, holding that it is hit by Section 9 of the Code of Civil Procedure. Aggrieved by the same, instant Civil Revision Petition is filed.

4. Heard Mr.S.Kamadevan, learned counsel for the petitioner, Mr.M.R.Gokul Krishnan, learned Additional Government Pleader for the first respondent, Mr.Y.Kajanavas, learned counsel for the fourth respondent and Mr.Ashok Menon learned counsel for the fifth respondent.

5. In the course of submission, the learned counsel appearing for the petitioner submits that since election process is already completed, he has filed a suit in O.S.No. 7042 of 202 on the file of the City Civil Court, Chennai, questioning the very elections and thereby he is not interested



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C.R.P.NPD.No.3166 of 2022

Dr.D.NAGARJUN,J

mvs.

in pursuing this matter and sought for permission to withdraw this petition, with liberty to raise all the questions raised before the City Civil Court, Chennai.

6. In view of the above, this Civil Revision Petition is dismissed. Liberty is granted to raise all the issues before the I Assistant Judge, City Civil Court, Chennai. No costs.

16/6/2023

Index :yes/no

Neutral Citation: Yes/No

mvs.

To

I Assistant Judge, City Civil Court, Chennai

C.R.P.NPD.No.3166 of 2022