



O.A.No.328 of 2023 and
Appln.No.3835 of 2023

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Appln.No.3835 of 2024

KRISHNAN RAMASAMY, J.,

This Original Application has been filed seeking for interim injunction restraining the Respondents 1 to 13 from interfering with the day to day affairs and activities of the Applicant Association in any manner, whatsoever until the disposal of the arbitral proceedings to be initiated.

2. Mr.J.Sivanandaraj, learned Senior Counsel appearing for the Applicant-Association submitted that initially interim injunction restraining the Respondents from convening the 83rd Annual Ordinary Congress was granted by this Court on 08.02.2019 in O.A.No.128 of 2019 and despite the said order, the Annual Ordinary Congress was conducted on 09.02.2019 and this Court vide order of this Court dated 27.09.2019 in A.Nos.1153, 1154, 1555 & 1774 of 2019 in O.A.No.128 of 2019 in C.S.No.126 of 2019 confirmed the interim injunction already granted and made it clear that very convening of Annual Ordinary Congress on 09.02.2019 by persons who are surreptitiously holding office without conducting election, is illegal and any decision taken therein, cannot be implemented as the same will amount to



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'continuing or perpetuating the illegality'. He further submitted that by holding the above aspect, this Court also appointed the Hon'ble Mr. Justice A.K.Rajan, Former Judge of this Court as Administrator to administer the association and to settle the disputes in all the District Associations under Article 17 of the statutes, to convene the Ordinary Congress of the Tamil Nadu Foot Ball Association and conduct elections for the same. He therefore submitted that if there is any grievance, the parties can approach the Administrator appointed by this Court and it is for the affected party to bring it to the knowledge of the Administrator to get an appropriate order.

2. He further submitted that when the matter was taken up on 20.04.2023, this Court, considering all the above aspects, has passed the following order:

"3. It appears that the 2nd respondent himself claiming as a President again for the 1st respondent and it appears that he has nominated the respondents 3 to 13 as members of the applicant Association. The learned counsel for the applicant submitted that it is not in accordance with law and it is in violation of the order passed by this Court on 27.09.2019. Such being the case, there will be an interim injunction restraining the 2nd respondent from functioning as a



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*President of the 1st respondent Association and from
functioning respondents 3 to 13 as committee members
of the 1st Respondent Association."*

He, therefore, prays that interim injunction already granted may be made absolute.

3. Per contra, Mr.V.P.Senguttuvel, learned senior counsel for the Respondents submitted that in this case, the order of the learned Single Judge dated 27.09.2019 has been modified by virtue of the order of the Division Bench of this Court dated 20.09.2023 and therefore the order of the learned Single Judge would only apply to the extent of conducting the election to the Krishnagiri District Foot Ball Association alone and therefore the Respondents 2 to 13, who are the members of the Association are acting legally as per the rules.

4. I have given due consideration to the submission made by the learned counsel appearing on either side and perused the materials available on record.



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5. From the records, it is seen that initially, this Court vide order dated 08.02.2019 granted an order of interim injunction restraining the respondents from convening the 83rd Annual Ordinary Congress on 09.02.2019 and the same has been confirmed vide order of the learned Single Judge dated 27.09.2019. While confirming the said interim order, this Court also appointed an Administrator to conduct and resolve the dispute with regard to Applicant-Association. While so, the Division Bench of this Court vide order dated 20.09.2023 modified the said order, by constituting an Administrative Committee with Administrator appointed by this Court as Chairman along with four members to administer the 4th defendant association. As on the date of Division Bench Order i.e., 20.09.2023m there was no stay for appointment of Administrator as appointed by the learned Single Judge of this Court vide order dated 27.09.2019. Under these circumstances, when the Administrative Committee was constituted for taking care affairs of the 1st Respondent Association, the Respondents 2 to 13, claiming to be the members of the Association, are interfering with the affairs of the Applicant Association and any direction issued by the Respondents 2 to 13 will not bind the Applicant- Association.



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6. In view of the above, this Court finds that the applicant has made out case and balance of convenience is also in favour of the applicant. Hence, the interim injunction already granted 20.04.2023, is made absolute and this Original Application stands closed. Consequently, connected Application No.3835 of 2023 is closed.

26.06.2024

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KRISHNAN RAMASAMY, J.,

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