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C.S.No.111 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.01.2024

CORAM

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

C.S.No.111 of 2022 & O.A.Nos.327 & 328 of 2022

M.Shanmugam

... Plaintiff

VS

- 1 All India Anna Dravida Munnetra Kazhagam
represented by its Coordinator and Joint Coordinator,
Thiru O.Pannerselvam and Thiru E.Palaniswamy
having office at 226 Avvai Shanmugam Salai,
Royapettah, Chennai – 600 014.
- 2 The General Council of the Central Organisation
All India Anna Dravida Munnetra Kazhagam
Rep. by its Co-ordinator and Joint Co-ordinator
Thiru O.Pannerselvam and Thiru E.Palaniswamy
having office at 226 Avvai Shanmugam Salai,
Royapettah, Chennai – 600 014.
- 3 The Central Executive Committee,
All India Anna Dravida Munnetra Kazhagam
represented by its Coordinator and Joint Coordinator,
Thiru O.Pannerselvam and Thiru E.Palaniswamy
having office at 226 Avvai Shanmugam Salai,
Royapettah, Chennai – 600 014.
- 4 Thiru O.Panneerselvam
Co-Ordinator, AIADMK,

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having office at 226 Avvai Shanmugam Salai,
Royapettah, Chennai – 600 014.

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5 Thiru E.Palaniswamy
Joint Co-ordinator, AIADMK,
having office at 226 Avvai Shanmugam Salai,
Royapettah, Chennai – 600 014.

Civil Suit filed under Order IV Rule 1 of High Court O.S. Rules
1956 read with Order VII Rule 1 of CPC for the following reliefs :

a) Granting Permanent injunction restraining the Defendants from
convening any General Council Meeting either on 23.06.2022 or any other
subsequent dates till the disputes are resolved or settled amicably.

b) granting permanent injunction restraining the Respondents in
placing any agenda in the meeting of the General Council of the Central
organization of the 1st Respondent to be held on 23.06.2022 or any other
date with respect to the amendment of Rule-20A 1 to 13 of the 1st
Respondent Political Party.

c) the cost of the suit.

For plaintiffs : Mr.T.Arokiadass

For defendants : Mr.K.Gowtham Kumar – D1, D2,
D3 and D5

Mrs.P.Rajalakshmi – D4



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This suit has been filed for the following reliefs :

a) Granting Permanent injunction restraining the Defendants from convening any General Council Meeting either on 23.06.2022 or any other subsequent dates till the disputes are resolved or settled amicably.

b) granting permanent injunction restraining the Respondents in placing any agenda in the meeting of the General Council of the Central organization of the 1st Respondent to be held on 23.06.2022 or any other date with respect to the amendment of Rule-20A 1 to 13 of the 1st Respondent Political Party.

2. On a perusal of the plaint, it appears that the main grievance of the plaintiff is with regard the General Council Meeting scheduled on 23.06.2022, which is already over. It is to be noted that for similar prayer suits in C.S.Nos.102 of 2022, 106 of 2022 and 111 of 2022 and various applications have been filed challenging the resolutions, which went up to the Honourable Supreme Court in Civil Appeal Nos.1393, 1394, 1395, 1396 to 1397 of 2023. The Apex Court by the Judgment dated 23.02.2023,



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dismissed the appeals. It is also relevant to note that subsequently the General Council Meeting has been convened. Therefore, suit seeking relief of injunction restraining such meeting is automatically become infructuous.

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

03.01.2024

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N.SATHISH KUMAR, J.

VTC

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