



C.S.No.329 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2024

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

Civil Suit No.329 of 2020

1.Dr. K. Jacob
2.Mr. Cherian Abraham
3.Mr. Anu Vaghese
4.Mr. John Joseph

... Plaintiffs

versus

1.The Madras Medical Mission,
(a Society registered under the Tamil Nadu
Societies Registration Act, 1975)
Having its registered office at:
No.4-A, Dr. J. Jayalalitha Nagar,
Mogappair, Chennai - 600 037.

2.Mr. M. M. Phillip,
Hon. Secretary (Interim),
The Madras Medical Mission,
Residing at: 29, College Road,
Chennai - 600 006.

... Defendants

Prayer: The Civil Suit filed under Order VII Rule 1 of the Code of Civil Procedure, 1908 read with Order IV Rule 1 of the Original Side Rules, seeking for a relief of declaration that the notice dated 19.10.2020 issued by the 2nd defendant suspending the plaintiffs from the privileges of membership of the 1st defendant Society is illegal, null and void and for a



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relief of permanent injunction restraining the 2nd defendant from giving effect to the notice dated 19.10.2020 suspending the plaintiffs from the privileges of membership of the 1st defendant Society.

For Plaintiffs : Mr. Vijay Narayan, Senior Counsel
For Mr. Hari Radhakrishnan
For D1 : Mr. Silambanan, Senior Counsel
For Mr. Hallel Ben
For D2 : Mr. Thomas T. Jacob

JUDGMENT

The learned counsel for the plaintiff had made the following endorsement in the plaint.

“ Suit may be permitted to be withdrawn based on the subsequent withdrawal of suspension by the Governing Board vide its meeting held on 22/05/2024 and communicated by Secretary of 1st defendant vide letter dt 28/05/2024.

Sd/.10/06/2024

Counsel for Plaintiff



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2. In view of the endorsement, the suit stands dismissed as withdrawn. There is no order as to costs.

3. The learned counsel for the second defendant appeared through video conferencing and stated that in Original Side Appeal is still pending. But I am confident, that necessary representation would also be made before the Division Bench. It is also represented that elections have been conducted and the new Governing Counsel has withdrawn the suspension of the plaintiffs herein.

4. If the plaintiffs are entitled for the refund of Court Fees, the registry may examine and refund the Court fees to the learned counsel for the plaintiffs on proper authorization given by the plaintiffs and on necessary undertaken given by the learned counsel for the plaintiffs in accordance with rules.

10.06.2024

Index:Yes/No
Internet : Yes/No
Neutral Citation Case : Yes/No
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C.V.KARTHIKEYAN,J.,

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