



C.S.No.311 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.03.2024

CORAM

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

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Tamil Nadu Elementary School Teachers Federation,
Federation (Reg. No.118/1961),
Registered office at No.78,
JSR Malligai Bells Road,
Triplicane Chennai – 600 005.
Rep by its General Secretary Mr.N.Rengarajan

... Plaintiff

Vs

S.Gunasekaran, State President,
Tamil Nadu Elementary School Teachers Federation,
(Reg. No.118/1961), No.78 JSR Malligaim,
Bells Road, Triplicane, Chennai-600 005.

... Defendant

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. Grant a Judgement decree of Declaration declaring the defendant's notice dated 24.09.2021 issued to the members of the State General Council of the Tamil Nadu Elementary School Teacher's Federation convening an Extraordinary General Body meeting of the State General Council of the Federation on 16.10.2021 as null and void.



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b. Grant a judgment and decree of Permanent injunction restraining the defendant his men agents or anyone claiming authority under him or through him from conducting Extraordinary General Meeting of the State General Council of the Tamil Nadu Elementary School Teachers Federation on 16.10.2021 or any other date without following the due procedure contemplated in Section 28 and Rule 27 of Tamil Nadu Societies Registration Act, 1975 and Rule 1978.

c) Award costs of the suit.

For plaintiff : Mr.P.Godson Swaminath
for M/s.Isaac Chamber

For defendant : Mr.B.Arvind Sreevatsa

J U D G M E N T

This suit has been filed for declaration declaring the defendant's notice dated 24.09.2021 issued to the members of the State General Council of the Tamil Nadu Elementary School Teacher's Federation for convening an Extraordinary General Body meeting of the State General Council of the Federation on 16.10.2021 as null and void and for permanent injunction



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restraining the defendant and his men from conducting Extraordinary General Meeting of the State General Council of the Tamil Nadu Elementary School Teachers Federation on 16.10.2021 or any other date without following the due procedure as contemplated in Section 28 and Rule 27 of Tamil Nadu Societies Registration Act, 1975 and Rule 1978 and for costs.

2. When the matter is taken up today, the learned counsel for the plaintiff submitted that admittedly a meeting was held on 16.10.2021 and a resolution has also been passed in the meeting and the said resolution is challenged in a subsequent suit. In such view of the matter, as a meeting has already held and resolution passed in the meeting has been put in challenge in a subsequent suit, nothing survives for adjudication in this suit.

3. Accordingly, this suit is dismissed as infructuous. No costs.

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N.SATHISH KUMAR, J.

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