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C.S.No.523 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 23.02.2024

CORAM

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

C.S.No.523 of 2019

O.A.No.816 of 2019

Babu Daniel

.. Plaintiff

Versus

1.The Madras Medical Mission
No.4-A, Dr.J.Jayalalithaa Nagar
Mogappair East, Chennai – 600 037

2.The Hon'ble Secretary (Interim)
The Madras Medical Mission
No.4-A, Dr.J.Jayalalithaa Nagar
Mogappair East, Chennai – 600 037

3.Cherian Abraham

.. Defendants

Civil Suit filed under Order VII Rule 1 CPC read with Order IV Rule 1 of Madras High Court Original Side Rules 1956 read with praying for the following judgment and decree against the defendants.

a) for a declaration to declare the notice dated 17.08.2019 issued by the 3rd defendant calling for an EGM to be held on 08.09.2019 at 7.00 PM at



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Hotel Radisson Blue, Chennai as illegal, null and void;

WEB COPY b) awarding costs of the suit

For Plaintiff : M/s.Stella Manoharan

For Defendants : Mr.Clint Li Johny for D1 & D2
Mr.Hari Radhakrishnan for D3

JUDGMENT

The suit has been filed for a declaration to declare the notice dated 17.08.2019 issued by the 3rd defendant calling for an EGM to be held on 08.09.2019 at 7.00 PM at Hotel Radisson Blue, Chennai as illegal, null and void.

2. Since the EGM is conveyed and minutes is already passed, if at all there is any grievance for the plaintiff, it is for him to challenge the very decision itself. What was challenged in the suit is only a notice. As the notice is culminated into EGM and the decision has already been taken, this Court is of the view that nothing survives for adjudication in the suit.



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3. Accordingly, this suit is dismissed. No costs. Consequently,

connected application stands closed.

23.02.2024

dhk

Internet : Yes

Index : Yes / No



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N.SATHISH KUMAR, J.

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