



C.S.No.3 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.12.2025

CORAM:

THE HONOURABLE MR. JUSTICE P.DHANABAL

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R.Selvakumar

.... Plaintiff

VS

1.Kailash Colony Welfare Association,
Society registered under the
T.N. Societies Registration Act, 1975,
Represented by its Secretary,
Mr.Muthukumar,
139/3, Kailash Colony,
Anna Nagar Western Extension,
Chennai – 101.

2.The Executive Committee,
Kailash Colony Welfare Association,
Represented by its Secretary,
139/3, Kailash Colony,
Anna Nagar Western Extension,
Chennai – 101.

3.Janardhana Reddy,
President,
Kailash Colony Welfare Association,
139/3, Kailash Colony,
Anna Nagar Western Extension,
Chennai – 101.



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4.S.Muthukumar,
Secretary,
Kailash Colony Welfare Association,
139/3, Kailash Colony,
Anna Nagar Western Extension,
Chennai – 101.

5.R.Kumaresan,
Election Officer,
114/18, Kailash Colony,
Anna Nagar Western Extension,
Chennai – 101.

.... Defendants

Prayer : Civil Suit filed under Order IV Rule 1 of OS Rules r.w. VII Rule 1 of CPC, 1908, may be pleased to pass a judgement and decree :

(a) declaring that the resolutions passed in the General Body Meeting of the Kailash Colony Welfare Association, dated 10.12.2023, are *ex facie* illegal, invalid and *non-est* in law;

(b) declaring that the election notification dated 14.12.2023 issued by the 5th defendant for conduct of elections to the Executive Committee of the Kailash Colony Welfare Association is illegal and *non-est* in law;

(c) granting a decree of perpetual injunction restraining the Executive Committee of the 1st defendant Association and its office bearers or anyone acting under their authority from excluding non-resident owners from contesting elections to the Executive Committee of the 1st defendant / Kailash Colony Welfare Association ;

(d) granting a decree of mandatory injunction appointing an Advocate Commissioner to hold free and fair elections to the Executive



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Committee of the 1st defendant / Kailash Colony Welfare Association in a transparent and time-bound manner ;

(e) to award costs of the suit ;

(f) granting such other reliefs as this Hon'ble Court may see fit and proper in the facts of the case.

For Plaintiff : Mr.Govind Chandrasekhar

For Defendants : Mr.R.Prabu

JUDGMENT

Today, when the matter is taken up for consideration, learned counsel appearing for the defendants filed objection for the Advocate Commissioner's report and the learned counsel appearing for the plaintiff fairly conceded that nothing survives for adjudication in this case since already election was conducted.

2. Recording the same, this Civil Suit is closed granting liberty to the plaintiff to file a fresh suit if any further cause of action arises. There shall be no order as to costs.

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3. The Advocate Commissioner filed a Memo for additional remuneration. The Advocate Commissioner shall be paid remuneration of **Rs.30,000/- (Rupees Thirty Thousand Only)** which shall be paid by the Association directly to the Commissioner within ten (10) days.

17.12.2025

Index: Yes/No
Internet: Yes/No
Speaking/Non-Speaking order
mtl



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P.DHANABAL, J.

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