



C.S.Nos.153 & 154 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 21.01.2025

CORAM:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

C.S.Nos.153 & 154 of 2022

and

A.No.4294 of 2024

1.Dr. K. Jacob
2. Mr. Cherian Abraham
3. Mr. Anu Vaghese
4.Mr. John Joseph ... Plaintiffs in C.S.No.153 of 2022

Joseph Abraham ... Plaintiff in C.S.No.154 of 2022

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 1.

2. Mr. M.M. Phillip ... Defendants in both Civil Suits

3.Mr.E.John Thomas

[3rd defendant impleaded as per order dated
29.02.2024 in A.No.1140 of 2024] ... Defendants



C.S.Nos.153 & 154 of 2022

This Civil Suit is filed under Order IV Rule 1 of Original Side Rules r/w Order VII Rule 1 of C.P.C., prayed for

(a) Declare that the notices dated 15.07.2022, 25.07.2022 and 01.08.2022 issued by the 2nd Defendant calling for nominations for contesting the election for the term 2021-2024 and 2022-25 of the Governing Board of the 1st Defendant Society and declaring the results of the said election are illegal, null and void; ;

(b) Permanent Injunction restraining the 2nd Defendant from giving effect to the notice dated 15.07.2022, 25.07.2022 and 01.08.2022 calling for nominations for contesting the election for the year 2021-2024 and 2022-25 of the Governing Board of the 1st Defendant and declaring the results of the election; ;

(c) Mandatory Injunction directing the 1st Defendant Society to permit the Plaintiffs to participate in the elections to be held, if any, to the Governing Board of the 1st Defendant Society;

(d) Mandatory Injunction directing that the elections to the Governing Board of the 1st Defendant Society for the term commencing from 2021 to 2024 and 2022 to 2025 be conducted under the supervision and control of a Learned Judge Commissioner to be appointed by this Hon'ble Court

For plaintiffs	: M/s.Hari Radhakrishnan
For D1	: Mr.Ferdinand
For D2	: Mr.Thoman T.Jacob
For D3	: Mr.Mehak Asrani



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JUDGMENT

Regarding the functioning of the Madras Medical Mission, a society registered under the Tamil Nadu Societies Act, the office bearers and members were at loggerheads. Initially Suits in C.S.Nos.153 & 154 of 2022 were instituted.

2. This Court, taking note of the fact that the society, which renders social service to the public, should be administered without any hindrance and that the dispute regarding the election has been resolved by appointing a Judge Commissioner, a former Judge of this Court to conduct the election for the society. A detailed report has been submitted by the Judge Commissioner.

3. Recording the fact that the relief sought in these two suits been substantially addressed by the Judge Commissioner and election has been conducted in the manner known to law, if any person is aggrieved by the report of the Judge Commissioner, they shall agitate the matter independently.



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4. As a result, the Suits in C.S.Nos.153 and 154 of 2022 are disposed of. Consequently, the connected application is closed. There shall be no order as to costs. If any remuneration is to be paid to the Judge Commissioner, the 1st defendant society shall make the payment on receiving notice from the Judge Commissioner.

21.01.2025

Speaking Order / Non-Speaking Order

Index : yes/no

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