



O.A.No.733 of.



IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON 28.08.2025	PRONOUNCED ON 27.10.2025
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CORAM :

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

O.A.No.733 of 2025

in

C.S.No.146 of 2024

1.S.Moorthi

2.Aruldoss

... Applicants

vs.

1.Tamil Nadu Electricity Workers' Federation,
(Reg.No.2970), VGR Illam,
Represented by its General Secretary K.Sampath,
Having Office at No.92, Guruvappa Street,
Chintadaripet, Chennai – 600 002.

2. K.Sampath,
General Secretary Tamil Nadu Electricity Workers' Federation,
Having office at No.92, Guruvappa Street,
Chintadaripet, Chennai- 600 002.

3.Shajahan,
State President,
Tamil Nadu Electricity Workers' Federation,
VGR Illa,, No.92, Guruvappa Street,
Chintadaripet, Chennai – 600 002.

4.M.Ramachandran,
State Treasurer,
Tamil Nadu Electricity Workers' Federation,
VGR Illa,, No.92, Guruvappa Street,
Chintadaripet, Chennai – 600 002.



5.M.Dhanaseker

6.The Commissioner of Labour,
DMS Complex, Teynampet,
Chennai – 600 006.

7.The Chairman Cum Managing Director,
TANGEDCO,
144, Anna Salai,
Chennai – 600 014.

8.The Branch Manager,
Union Bank of India,
Whites Road Branch, Mount Road,
Chennai – 600 014.

9.The General Manager,
Tamil Nadu Power Finance and Infrastructure,
Development Corporation Limited,
3-4, Anna Salai , Nandanam,
Chennai – 600 035.

... Respondents

For Applicant : Mr.O.M.Prakash

Senior Counsel

for Mr.M.Ganesan

Assisted by Mr.V.Jai Harisudhan

For Respondent : Mr.C.Uma Shankar for RR1 to 4

ORDER

This present Original Application has been filed for grant of ad-interim injunction restraining the respondents, their men, agents, servants or anybody acting on their behalf from in any manner infringing the functioning of the



General Secretary and Treasurer of the Tamil Nadu Electricity Workers federation duly elected by the Hon'ble Administrator on 01.02.2025 and confirmed by this Court on 26.03.2025, including the operation of the Bank Account of the Federation.

2) Heard Mr.O.M.Prakash, learned Senior Counsel appearing on behalf of Mr.M.Ganesan, learned counsel assisted by Mr.V.Jai Harisudhan, learned counsel for the applicants and Mr.C.Uma Shankar, learned counsel for the respondents.

3) Mr.O.M.Prakash, learned Senior Counsel for the applicant would submit that by order dated 21.03.2025, this Court after considering the Report of the learned Administrator had approved the election of the office bearers and had directed the learned Administrator to hand over the administration of the Federation to the newly elected office bearers and thereafter close the various applications pending in the suits. Pursuant to the orders passed by this Court, the respective office bearers had assumed charge.

4) He would contend that the third respondent herein who had been elected as the State President had been exhibiting hostile attitude and is high-



handedly holding the control of the office premises of the Federation without permitting any access to the other elected office bearers and is refraining them from discharging the functions of the office of the Federation. He would further submit that the third respondent had also addressed the letters to the bankers of the Federation and demanded them to not to allow the General Secretary and Treasurer of the Federation from operating the bank accounts, which is against the bye-laws. He would submit that the conduct of the third respondent puts the spoke in the election that had been conducted. He would submit that an application had been taken out by the bankers of the Federation in A.No.3428 of 2025 with prayer seeking clarification as to who should be permitted to operate the saving bank account of the Federation and A.No.3429 of 2025 has been filed by the elected General Secretary and Treasurer to permit them to function as General Secretary and Treasurer including the operation of the bank accounts.

5) This Court by its order dated 07.08.2025 by allowing the A.No.3429 of 2025 and in A.No.3428 of 2025 clarified that the General Secretary and Treasurer who had been elected and approved by this Court can be permitted to operate the account. Therefore, he would submit that the present application should also be ordered as prayed for.



6) Countering his argument, Mr.C.Uma Shankar, learned counsel appearing on behalf of the respondents 2 to 4 would submit that the third respondent is in no manner interfering with the functioning and discharge of duties of the office bearers of the Federation who are elected and approved by this Court. He would further submit that the General Council of the Federation has not been convened, even though, the election has been approved by this Court as early as on March 2025. He would further submit that the accounts of the Federation are also to be necessarily be approved by the General Body and therefore, the General Secretary should be directed to convene a General Body of the Federation and also place the accounts for approval. He would further submit that in the Report of the learned Administrator ten branches as given in the schedule-E of the Report should also be permitted to participate in the General Body. He would further submit that the subscription books have not been circulated to the respective branches for collection of subscription and for that reason such branches should be permitted to participate in the General Body. Therefore, necessary directions should also be issued for circulating the subscription books to the respective branches including the branches enlisted under Schedule-E. He would submit that in no manner he would interfere with the functioning of the elected office bearers but the General Secretary should be directed to convene a General Body.



7) In reply, Mr.O.M.Prakash, learned Senior counsel appearing on behalf of the applicant would submit that since the third respondent had not permitted any access to the office of the Federation, they have been unable to perform their functions and if they are permitted, they would call for a General Body of the Federation and also place the accounts in the General Body for its approval. He would submit that the subscription books are within the premises of the Federation and as the office of the Federation is inaccessible, the subscription books could not be circulated. He would further submit that as regards to the new branches enlisted under schedule-E, such new branches has not been approved by the General Body and therefore, the subscription books could not also be circulated to them. That apart, he would submit that the newly formed branches have not been approved by the Federation and they could be only permitted to participate in the General Body, if the General Body approves the formation of new branches and only on such approval being granted by the General Body of the Federation, subscription books can be circulated to them. Therefore, he would pray this Court that necessary orders may be passed by this Court.

8) I have considered the submissions made by the learned counsels appearing on either side and perused the materials available on record before



this Court.

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9) The prayer sought for in this application is for grant of ad-interim injunction restraining the respondents, their men, agents, servants or anybody acting on their behalf from in any manner infringing the functioning of the General Secretary and Treasurer of the Tamil Nadu Electricity Workers federation duly elected by the Hon'ble Administrator on 01.02.2025 and confirmed by this Court on 26.03.2025, including the operation of the Bank Account of the Federation.

10) The learned counsel for the third respondent had unequivocally made a submission that the third respondent would not prevent the applicants from having access to the office of the Federation. Recording the said statement, the Original Application stands closed, but, however, considering the submissions made by the respective counsels, this Court disposes of the Original Application by issuing the following directions:-

a) The first applicant who had been elected as the General Secretary shall call for a General Body meeting of the first respondent/ Federation within a period of two (2) weeks from the date of receipt of a copy of this order.



b) In the said General Body, he shall also see to that the accounts of the first respondent/ Federation are placed for approval by the General Body.

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c) The list of branches enlisted under schedule-E which are newly created even under the Report of the learned Administrator shall be placed in the General Body for the approval of the General Body to be brought into the Federation.

d) During its first General Body meeting, if the approval is being accorded by the General Body, the branches enlisted in schedule-E shall also form part of the General Body meetings that shall be conducted both ordinary and extraordinary to be conducted thereafter.

e) The second applicant, who has been elected as the Treasurer shall also circulate the subscription books in respect of the branches and Unions enlisted under schedule-A, B, C & D forthwith.

f) With regard to the branches enlisted under schedule-E such subscription books shall be circulated, if such branches are approved in the first General Body meeting.



g) Considering the disputes between the parties, this Court is of the view that the said first General Body meeting which has been directed to be called for shall be conducted in presence of an observer. Further considering the fact that Hon'ble Mr.Justice G.Chokalingam, retired judge of this Court who had also resolved the disputes with regard to the members eligible to vote, has the knowledge of the disputes between the parties, therefore, this Court is of the view that he could be appointed as an Observer in the first General Body Meeting that is to be conducted for the Federation. Pursuant to the orders of this Court, he shall be entitled for a remuneration of sum of Rs.2,00,000/- which shall be borne by the first respondent/ Federation.

11. With the above directions, the Original Application is disposed of. However, there shall be no order as to costs.

27.10.2025

Index : Yes / No
Internet : Yes / No
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K.KUMARESH BABU.J.,

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Pre-Delivery Order in
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