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OA NO. 734 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-08-2025

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THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

OA No. 734 of 2025

and A.Nos.4034 & 4032 of 2025

in C.S.No.161 of 2025

Dola Sreedhar Swamy and another
S/o.Dola Kottaiah, No.1-143, Turpu Naidupalem,
Turupunaidupalem, Prakasam, State of Andhra Pradesh, 523 272.
and another

Applicant(s)

Vs

All India SC/ST Association of IOB Employees and 5 others
Rep.by its President, Administrative Office at IOB Gemini Circle
Branch, Karunai Kudil Complex, Ground Floor, No.297/226,
Cathedral Road, Gopalapuram, Chennai-600 086. and 5 Others

Respondent(s)

In O.A.No.734 of 2025 & A.No.4034 of 2025

For Applicant(s): Mr.Om Prakash
Senior Counsel
for Mr.N. Anand

For Respondent(s): Mr.Jai Harisudhan for R1
Mr.T.S.Raj Mohan for RR2, 4 & 6

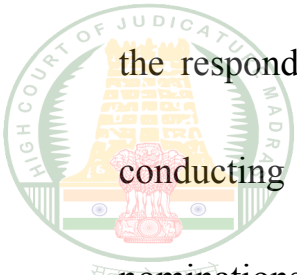
In A.No.4032 of 2025

For Applicant(s): Mr.K.Sudalai Kannu

For Respondent(s): Mr.Om Prakash
Senior Counsel
for Mr.N. Anand

COMMON ORDER

The O.A.No.734 of 2025 has been filed to pass an order of ad-interim injunction, restraining



the respondents, their agents, office-bearers, or any other person acting under the authority of the court, from conducting the election or taking any further steps pursuant to the impugned final list of nominations dated 07.07.2025 pending disposal of the above suit and pass such further or other order.

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2.The application in A.No.4032 of 2025 has been filed to implead the applicant/ proposed party as 7th defendant in the above Civil suit No.165 of 2025.

3.The application in A.No. 4034 of 2025 has been filed to appoint a person as Chairman of Election Committee to conduct election for All India SC/ST Association of IOB employees represented by its President, Administrative Office at IOB Gemini Circle Branch, Karunai Kudil Complex, Ground Floor, No.297/226, Cathedral Road, Gopalapuram, Chennai 600 086 for the tenure 2025-28.

4. Heard the learned counsels appearing for their respective parties.



5. This Court noting that there has been contest with regard to the bye-law passed by the bye-law No.31, have granted an injunction by its order dated 07.08.2025 *inter-alia* directing

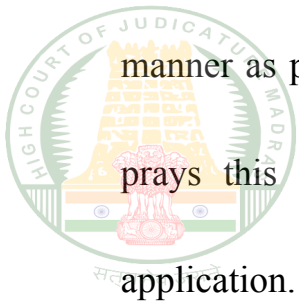
the Registrar of Societies to circulate the bye-laws as approved and filed with it. The Office

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of the District Registrar, Chennai (North) had placed the bye-laws as registered with them and had also circulated the certified copy of the bye-law as filed by the first respondent.

Noting the same, this Court had listed the matter today.

6. Mr.T.S.Raj Mohan, learned counsel appearing for respondents 2 to 6, relying upon the additional counter affidavit filed by them would submit that it is the printed bye-laws as placed before this Court has only been in vogue and only based upon the said bye-laws, elections are being conducted to the first respondent. Therefore, the disqualification of an Association which has not been renewed has been a practice of the first respondent and only following the same, the election process had been commenced and since, the election process has been commenced long time back, there cannot be an injunction restraining the first respondent from conducting the election. He would further submit that the Election Committee is a neutral Election Committee and therefore, there can be no impediment and that there will be no doubt that the election would be conducted contrary to the bye-laws. He would assure the Court that such election would be conducted in a fair and democratic



manner as per the Provisions of bye-law after furnishing the list of members. he prays this Court to vacate the injunction granted by this Court and dismiss the said application.

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7. Mr.K.Sudalai Kannu, learned counsel appearing for the applicant in A.No.4032 of 2025 would vehemently contend that various irregularities had been committed by the then Executive Members and the monies of the first respondent had been siphoned for which a complaint has also been directed to be registered by the CBCID (Metro cases) Court, Egmore, Chennai. He would further submit that even for this election, the members eligible to vote had not been published and the election is trying to be hijacked by a group of people who wish to elect themselves to the Office-bearers of the Association. He would submit that he is a necessary and proper party and therefore, he could be included in this suit.

8. Mr.Om Prakash, learned Senior Counsel appearing for the applicant/ plaintiff on the other hand would contend that the bye-laws as placed by the District Registrar (North) Chennai before this Court would clearly indicate that the printed bye-laws which have been relied upon by the respondents 2 to 6 cannot be the basis on which the election could be conducted.



Referring to the counter filed by the respondents 2 to 6, he would submit that he had admitted to have disqualified the applicants only on the strength of the Clause 31 of the printed bye-laws and Clause 31 of the printed bye-laws is not the same as registered with the

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Registrar of Societies. The rejection of the applicants nomination, would have to be revisited.

9. He would further submit that the applicants have no intention to stall the election, as the election have to be held as per the bye-laws and only for that purpose, the applicants had also taken out an application in A.No.4034 of 2025 for appointment of a Chairman of Election Commission to conduct the election.

10. I have considered the submissions made by the respective counsels appearing on either side and perused the materials available on record.

11. It is an admitted fact that the term of the Office of the elected Office-bearers of the first respondent Association had come to an end and the election to the new Office-bearers of the administration of the first respondent is yet to be conducted.



12. The contention of the respondents 2 to 6 is that the printed bye-laws had been in vogue cannot be a ground to allow the first respondent to follow the same. The printed bye-laws which disqualifies member of Association which has not renewed its membership cannot be sought to be implemented when such bye-law was not the approved bye-law as has been filed with the Registrar of Societies.

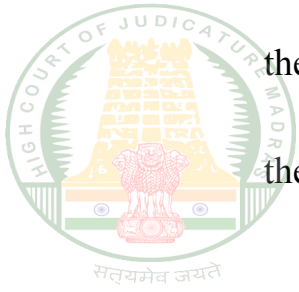
13. During the course of the argument, it had been also brought to the notice of this Court that the first respondent itself has not renewed its registration as provided under the Tamil Nadu Societies Registration Act. Be that as it may, the said irregularity can be rectified under the Provisions of the said Act. Even it is assumed that as of today, the first respondent registration is in limbo, the first respondent is an All India Association of the SC/St employees of a Bank which has branches spread over India. It cannot be allowed to be function beyond its bye-laws. To resolve the disputes between the parties and to have a fair and democratic election to the Office-bearers of the first respondent Association, this Court is of the view that an Administrator, who being a retired Judge of this Court could be appointed for conducting the election with the assistance of a retired District Judge.



14. It is also to be further noted that the said process may take some time as the members eligible to vote was also not published and in that context, this Court is also of the view that the learned Administrator can form a five member Committee by draw of lots from the elected Office-bearers who were holding the Office between 2022-25, so as the interest of the members of the Association vis-a-vis its employer could be safe guarded.

15. In such view of the matter, the following directions are issued:-

a) Hon'ble Mr.C.T.Selvam (retired Judge) of this Court residing at Plot No.1, Sakthi Nagar, Korattur, Chennai – 600 076, is appointed as Administrator for the first respondent Association to conduct the election to its Office-bearers as per the bye-laws as registered with the Registrar of Societies. The learned Administrator is entitled for remuneration of a sum of Rs.2,00,000/- (Rupees Two Lakhs) per month and if he desires to appoint a retired District Judge to assist him, then he will be entitled for a remuneration of a sum of Rs.1,00,000/- (Rupees One Lakh) per month. The remuneration is apart from the actual expenditure incurred in conducting



the election including the travel allowance which shall be reimburse
the first respondent.

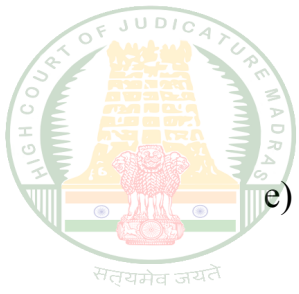


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b) The learned Administrator is at liberty to engage the services of a retired District Judge in the said process. The learned Administrator is also at liberty to seek clarification if so, needed from the elected Office-bearers who had held office from 2022-25, but, however, the decision of the learned Administrator would be final in any matters with regard to the conduct of election.

c) The learned Administrator shall form a Committee of five members by drawal of lots from the Office-bearers who held a post between 2022-25.

d) Such members shall only be representing the employees/ the members vis-a-vis their interest with the employer.



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e) The learned Administrator shall finalise the list of members eligible to vote as per the bye-law by only permitting the members who have paid subscription in consonance with the bye-laws as on 13.05.2025 namely the date on which the election was notified. On finalising the list of members eligible to vote, the learned Administrator shall issue a notification of election and thereafter, proceed to conduct the election. Thereafter, the learned Administrator is requested to file a Report.

16. In fine, A.No.4032 of 2025 is ordered and O.A.Nos.734 of 2025 & A.No.4034 of 2025 is closed. Necessary amendments shall be carried out within a period of two (2) weeks from today.

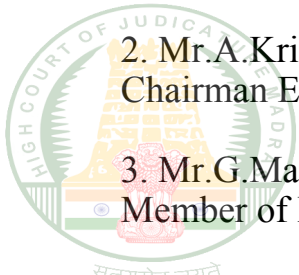
List the matter on receipt of the Report of the learned Administrator.

18-08-2025

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To

1. All India SC/ST Association of IOB Employees and 5 others
Rep.by its President, Administrative Office at IOB Gemini Circle
Branch, Karunai Kudil Complex, Ground Floor, No.297/226, Cathedral
Road, Gopalapuram, Chennai 600 086.



2. Mr.A.Krishnan
Chairman Election Committee

3. Mr.G.Maligeswaran
Member of Election Committee

4. Mr.M.Ravikumar
Member of Election Committee

5. Mr.N.Elumalai
Member of Election Committee

6. Mr.P.Arunachalam
Member of Election Committee The Defendants 2 to 6 are functioning at All India
SC/ST Association of IOB Employees, IOB Gemini Circle Branch, Karunai Kudil
Complex, Ground Floor, No.297/226, Cathedral Road, Gopalapuram, Chennai 600 086.

