



C.S.No.226 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2025

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THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

C.S.No.226 of 2024

and

A.Nos.2202, 2203, 1957, 785 & 1719 of 2025

and

O.A.Nos.154 & 332 of 2025

- 1.M.Panneerselvam
- 2.P.Gopinath
- 3.G.Jayapal
- 4.M.Arumugam
- 5.G.Saravanan
- 6.M.Rajeswari

...Plaintiffs

VS

- 1.Indian National Trade Union Congress,
Central (INTUC)
Rep.by its President
Dr.G.Sanjeeva Reddy,
National Head Quarters,
Shramik Kendra,
4, Bhai Vir Singh Marg,
Gole Market,
New Delhi – 110 001.
- 2.Dr.G.Sanjeeva Reddy,
- 3.Indian National Trade Union Congress
– Tamil Nadu Branch
Tamil Nadu – INTUC,
Rep.by its President,



Mr.V.R.Jaganathan,
G.R.Bhavan, New No.87,
Old No.45, Royapettah High Road,
Chennai – 600 014.

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4.Mr.V.R.Jaganathan

5.T.V.Xavier

6.K.Kalangiyan

7.A.Balaraman

8.G.K.Muralidharan

9.B.Anantharamakrishnan

10.S.A.Wellington

11.K.Rajasekharan

12.K.Guruswamy

13.A.Jayachandran

...Respondents

Prayer in C.S.No.226 of 2024: Plaintiff filed under Order IV Rule 1 of O.S.Rules read with Order VII Rule 1 of C.P.C., prays for a judgment and Decree against the Defendants:

i) For Declaration declaring the Impugned Notification dated 06.09.2024, issued by the 1st Defendant and signed by the 2nd Defendant, as illegal, null, void, non-est in the eyes of law, in so far as the plaintiffs are concerned;



- ii) For consequential permanent injunction restraining the Defendants herein their men, agents, sub-ordinates, assignee or any persons acting or claiming under them from interfering with the discharge of the duties and functions of the 1st plaintiff as Secretary General, 2nd Plaintiff as General Secretary and the 3rd to 6th Plaintiff as Secretaries of the 3rd Defendant herein;
- iii) Directing the Defendants to pay the costs of the suit and
- (iv) To grant such other reliefs as this Hon'ble Court may deem fit and necessary in the facts and circumstances of the case.

Prayer in OA No. 154 of 2025

To grant an order of interim injunction restraining the Respondents, herein, their men, agents, assignees or any other persons claiming under them from convening the Working Committee Meeting scheduled on 22/02/2025 or on any other subsequent date, pending disposal of the above suit.

Prayer in A No. 1957 of 2025

To conduct an enquiry into the act of the perjury committed by the 4th Respondent before this Hon'ble Court which is punishable under Section 227 of Bharatiya Nyaya Sanhita (BNS) 2023 and consequently forward the same to the concerned jurisdictional Magistrate of First Class for prosecution of the 4th Respondent herein in accordance with law.

Prayer in OA No. 332 of 2025

To pass an order of Interim Injunction restraining the Respondents herein, their men, agents, assignees or any other assignees claiming under them giving effect to any of the decisions alleged to have been taken in the



Working Committee Meeting held on 22/02/2025 convened by the 4th Respondent, pending disposal of the above mentioned suit.

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Prayer in A No. 2202 of 2025

To punish the Respondents 2 to 4 for the willful disobedience of the order dated 12/11/2024 made in O.A.No.701 of 2024 based on Resolution dated 21/12/2024 and Memo dated 03/04/2025.

Prayer in A No. 2203 of 2025

To appoint an Election Officer for conducting the upcoming Elections for the Working Committee of the 3rd Respondent which becomes due in the month of August 2025.

Prayer in A No. 785 of 2025

To punish the Respondent herein for his act of contempt by wilful disobedience of the Order dated 12/11/2024 made in O.A.No.701 of 2024 in C.S.No.226 of 2024.

Prayer in A No.1719 of 2025

To direct the 3rd Respondent herein to convene a Working Committee Meeting in accordance with the Tamil Nadu INTUC Constitution which to be overseen by an observer to be appointed by this Honble Court for the said meeting.



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For Plaintiffs : Mr.D.Ravichandar
For Defendants : Mr.K.M.Ramesh
(Senior counsel)
For Mr.V.Subramani
(For D3 & D4)

Mr.C.Elamurugan
(For D1, D2, D5 to D13)
(Vakalat for D5 to D13 Returned)

JUDGMENT

The present Civil Suit has been instituted seeking a declaration that the Impugned Notification dated 06.09.2024, issued by the 1st Defendant and signed by the 2nd Defendant, is illegal, null, void, non-est in the eyes of law, in so far as the plaintiffs are concerned and for a permanent injunction, restraining the Defendants, their men, agents, sub-ordinates, assignee or any persons acting or claiming under them from interfering with the discharge of the duties and functions of the 1st plaintiff as Secretary General, 2nd Plaintiff as General Secretary and the 3rd to 6th Plaintiff as Secretaries of the 3rd Defendant herein and also seeks a direction to the Defendants to pay the costs of the suit.

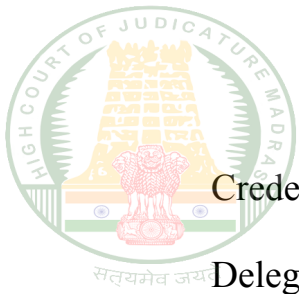
2. When the various applications were taken up for hearing, the learned counsel appearing on either side had consented that an Election



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ought to be conducted to the third defendant/ Indian National Trade Union Congress – Tamil Nadu Branch, since the terms of office of the office bearers of the working committee members have lapsed and that a fresh election ought to be conducted. They had also consented that the election could be conducted for the post of the President, who had been given powers to nominate other office bearers and working committee members. They had also indicated that in the past, the said procedure as contemplated under Clause 11 (b) (2) had only been followed. The working committee members are to be elected in a Delegate Conference, which is to be held once in three years. Before holding the Delegate Conference, a Credential Committee comprising not more than five members has to be constituted and that committee would have the authority to scrutinize the membership list, list of affiliated unions, details regarding affiliation fees, selection of delegates etc., and draw the Delegates list as per the bye-laws. The decision of the working committee would be final in those matters since it has been admitted that terms of office bearers of the working committee had lapsed.

3. The learned counsels appearing on either side would submit that there is a working committee from whom this Court can nominate a



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Credential Committee, which will draw up the list of Delegates to attend the Delegates Conference, in which, a President can be elected, who will then nominate the other office bearers and working committee members.

4. The learned counsel appearing for the plaintiffs would also suggest to appoint an Election Officer, who will conduct Election for the post of President after the Credential Committee draws up the list of delegates.

5. The learned Senior counsel appearing on behalf of the defendants would also accedes to the said suggestion.

6. The learned counsel appearing for the plaintiffs had also suggested the name of Hon'ble Mr.Justice S.Vaidyanathan, Former Chief Justice of Meghalaya High Court, to be appointed as the Election Officer.

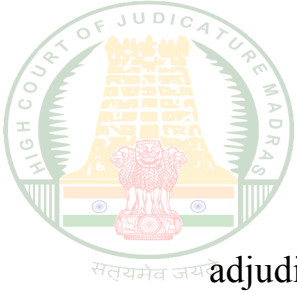
7. The learned counsel appearing for the defendant would also accedes to the same.



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8. In view of the same, Hon'ble Mr.Justice S.Vaidyanathan, Former Chief Justice of Meghalaya High Court, is hereby appointed as the Election Officer. The Election Officer shall constitute the Credential Committee by way of draw of lots from among the working committee members. Once the Credential Committee is formed, the Credential Committee, shall, within a period of two weeks thereafter, draw the list of Delegates in accordance with the bye-laws. Any disputes raised by any party regarding the preparation of the Delegates List shall be placed before the Election Officer within a period of five days thereafter and the Election Officer shall decide such disputes and arrive at a decision, which shall be final and binding on all parties. Once, the final list of Delegates are approved by the Election Officer, the Election Officer shall proceed to conduct the elections for the post of President as per the bye-laws.

9. The Election Officer shall be entitled for a remuneration of Rs.2,00,000/- (Rupees Two Lakhs only)/month apart from other incidental expenses, which shall be borne by the third defendant.



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10. In view of the consensual order passed above, no further adjudication is required to be made in the present suit and hence, the suit stand closed. However, there shall be no order as to costs. Consequently, all other connected applications are also closed.

11. List the matter before this Court for the report of the Election Officer during 1st week of November, 2025.

15.07.2025

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