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Crl.M.P.No.28238 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2026

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

C.M.P. No. 28238 of 2025

in

C.R.P. No. 1148 of 2024

V.G. Selvaraja

... Petitioner

Vs.

1.S. Giridharan

2.V. Sathish

3.The District Registrar of Societies
Chennai (Central)
Bharathi Salai, Chennai – 600 014.

4.The Chitra Avenue Flat Owners Welfare Association,
Rep., by Ad hoc Committee by its Chief Executive Officers/
Authorized Signatories
Chitra Avenue, No.9, Choolaimedu High Road,
Chennai – 600 094.

5.S. Linal Amalraj

6.Ramakrishnan

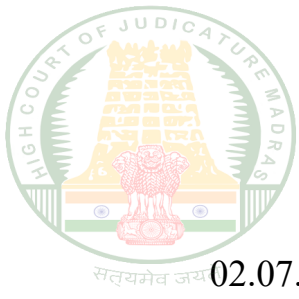
7.Muthuraman

8.K. Pushpalatha

9.The Chitra Avenue Flat Owners Welfare Association,
Chitra Avenue, No.9, Choolaimedu High Road,
Chennai – 600 094
Rep., by its Manager.

... Respondents

1/6



Crl.M.P.No.28238 of 2025

To modify the orders passed in C.R.P.No.1148 of 2024 dated 02.07.2024, so as to enable the 1st Assistant Judge, City Civil Court, Chennai to dispose suit in O.S.No.7042 of 2022 separately and expeditiously.

For Petitioner : Mr. S. Kamadevan

For Respondents : Mr. Y. Kaja Navas for R1, R2 & R4

ORDER

This petition has been filed seeking modification of the order passed by the Court in C.R.P. No. 1148 of 2024 dated 02.07.2024, so as to enable the I Assistant Judge, City Civil Court, Chennai, to dispose suit in O.S.No.7042 of 2022 separately and expeditiously.

2. By order dated 02.07.2024, this Court directed the I Assistant Judge, City Civil Court, Chennai to conduct the trial in O.S.Nos.7042 of 2022 and 5946 of 2023 simultaneously but to dispose of the suits separately, and complete the same preferably within a period of six months.

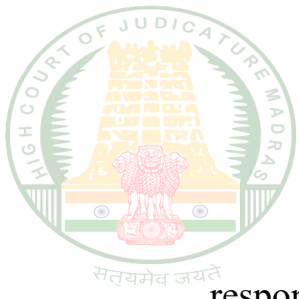
3. The learned counsel for the petitioner in C.R.P.No.1148 of 2024 submitted that the word “simultaneously” in the order has created an obstacle. Taking advantage of the same, the respondents have been dragging



on the proceedings in O.S.No.7042 of 2022. Although the six months period stipulated by this Court expired on 02.01.2025, even after more than one and a half years, the respondents citing the said word, preventing the trial Court from proceeding further with O.S.No.7042 of 2022.

4. The learned counsel for respondents 1, 2 and 4 who are present before this Court, submitted that O.S. No. 7042 of 2022 relates to the election of office bearers for the period 2022-2025. O.S.No.5946 of 2023, on the other hand, related to the rendition of accounts for the year 2020 onwards by the association and its office bearers. It was further submitted that another suit in O.S.No.234 of 2016, is also pending, questioning the election of office bearers for the period 2012-2015.

4.1. The learned counsel for the respondents further submitted that a transfer petition filed seeking transfer of O.S.No.234 of 2016 to be tried along with O.S.No.7042 of 2022, and the said transfer has been ordered by the Principal Sessions Judge, Chennai. It was therefore contended that no prejudice would be caused to the petitioner if all suits are disposed of on the same day.

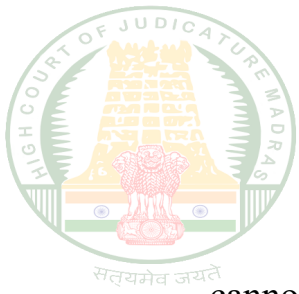


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5. The learned counsel for the petitioner strongly opposed the respondents' contentions and submitted that when C.R.P.No.1148 of 2024 was considered by this Court, the respondents had not raised anything with regard to O.S.No.234 of 2016. He further submitted that the transfer petition in Tr.O.P.No.5 of 2025 came to be allowed only on 14.07.2025, which is subsequent to the order passed by this Court.

6. Therefore, the said transfer order would have no bearing on the present proceedings. If any party is aggrieved by the transfer order, it is always open to such party to seek appropriate clarification from the Principal Sessions Judge, Chennai or to challenge the same before the appropriate forum.

7. It is seen from the docket proceedings dated 25.06.2026 that the plaintiff, namely the petitioner herein, had already filed written arguments and the matter was posted to 29.06.2026 for filing written arguments by the respondents. On 29.06.2026, the respondents also filed their written arguments and the matter was heard.



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8. This Court had directed the suits to be tried simultaneously, but

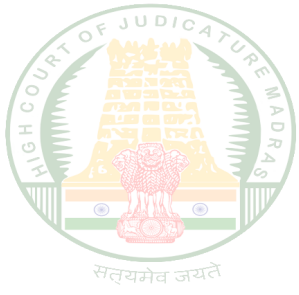
cannot be construed to mean that the trial Court should indefinitely defer further proceedings in O.S.No. 7042 of 2022 on account of the pendency of the connected suit. Once the proceedings in O.S. No. 7042 of 2022 have reached its finality, the word “simultaneously” loses its significance. Hence, there is no legal impediment for the trial Court to proceed further in O.S.No.7042 of 2022 and to take it to its logical end, without further delay.

9. In view of the above clarification, this Court finds no merit in the present petition. Accordingly, the petition is rejected.

30.06.2026

Neutral Citation: Yes/No
AT

To
1.The I Assistant Judge, City Civil Court, Chennai.



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M.NIRMAL KUMAR, J.

AT

Crl. M.P. No. 28238 of 2025 in
C.R.P. No. 1148 of 2024

30.06.2026