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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-02-2026

CORAM

THE HON'BLE MR JUSTICE N. SATHISH KUMAR

AND

THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

OSA Nos. 369 and 373 of 2025 & O.S.A.No.20 of 2026

&

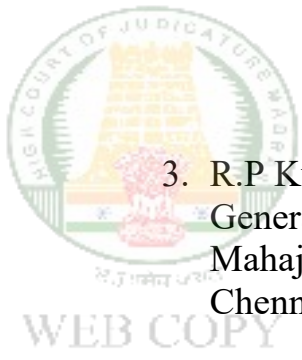
CMP No. 30977 and 31875 of 2025 & CMP No. 2069 of 2026

1. M.Ramalingam
S/O Mariappa, No.5/156, Srinivasa Nagar, 1st
Street, Kovilpatti - 628 502.
2. R.T.Kannan
S/O R.Thiruvengadam, 35, Maraiamalai Adigal
Street, Shanthi Nagar, Puducherry - 605 008.
3. R.Radhakrishnan
S/O Rajamanickam, No.18, Kamarajar Street.
Gokulapuram, Chengalpet- 603 001.
4. S.Alagesan
S/O Of Sampathran, No.507A, Om Sakthi
Nagar, Tiruvannamalai 606 604.

..Appellant(s)
in all OSAs

Vs

1. South Indian Senguntha Mahajana Sangam
Represented By Its General Secretary,
R.P.Kumaragurubaran, No.58, Armenian Street,
Chennai 01.
2. K.P.K.Selvaraj
President, South Indian Senguntha Mahajana
Sangam, No.58, Armenian Street, Chennai 01.



3. R.P Kumaragurubaran
General Secretary, South Indian Senguntha
Mahajana Sangam, No.58, Armenian Street,
Chennai 01.
4. R.Gandhi
Treasurer, South Indian Senguntha Mahajana
Sangam, No.58, Armenian Street, Chennai 01.
5. M.E.Jayaraman
S/O Ediappan, No.101B, Shankar Nagar Road,
Viyayanagar, Velachery, Chennai 42.
6. J.Babu
S/O Jambulingam, Karani Garden, Saidapet,
Chennai 600 015.
7. M.Mylappan
S/O Of Malamaruthu, Thirukalukundram
Sengunthar Mahajana Sangam
Thirukalukundram - 603 109.
8. V.Ramdas
S/O Vajravel, Karunkuzhi Post,
Maduranthagam Taluk Chengalpet District -
603 306.
9. R.Dhandapani
S/O Ramasamy, Karthikeyan Road, Saidapettai,
Arni- 632 301.
- 10.R.Rajendran
S/O Ramu, No.810A, Vanavil Nagar, 5th Street,
Venkigal, Thiruvannamalai - 606 604.
- 11.T.P.S.Saravanan
S/O Subramani, Vasidhapuram, Thittakudi -
606 106.
- 12.A.Annadurai
S/O Of Arumugha Mudaliar, Aduthurai Post,
Kunnam Taluk, Perambalur District - 621 108.



13. Gnanasekaran

S/O Alagappan, Vadaku Mudaliar Street,
Udkottai, Ariyalur District - 612 905.

14. S. Karthikeyan

S/O Of Singara Mudaliar, Therku Street,
Variyangaval Post, Udaiyarpalayam Taluk,
Ariyalur District - 621 806.

15. N. Adithiya

S/O Nagalingam, Mudaliar Street,
Thirupuvanam, Thirupuvanam Taluk,
Sivagangai District - 630 611.

16. P. G. Ramanathan

S/O Pitchai Mudaliar, Vadakasi Amman Koil
2nd St., Sankaran Kovil, Tenkasi District - 627
756.

17. Prabhoji

Thiruvottiyur Sengunthar Mahajana Sangam,
Thiruvottiyur, Chennai - 600 019.

18. P. N. Prakash

The Honble Election Officer, No.32,
Lalithalayaa, First Cross Street, Kilpauk Garden
Colony, Chennai 600 010.

..Respondent(s)
in all OSAs

OSA No. 369 of 2025 : Original Side Appeal filed under Order XXXVI Rule 9 of the Original Side Rules read with Clause 15 Letters Patent to set aside the order dated 27.10.2025 made in A.No.2600 of 2025 in C.S.No.173 of 2023.

OSA No. 373 of 2025: Original Side Appeal filed under Order XXXVI Rule 9 of the Original Side Rules read with Clause 15 Letters Patent to set aside the order dated 27.10.2025 made in A.No.3192 of 2025 in C.S.No.173 of 2023.

OSA No. 20 of 2026 : Original Side Appeal filed under Order XXXVI Rule 9 of the Original Side Rules read with Clause 15 Letters Patent to set aside the order dated 27.10.2025 made in A.No. 3193 of 2025 in CS No. 173 of 2023.



For Appellant(s):

Mrs.G.Thilakavathi
Senior counsel
for Mr.R.Gophinath

For Respondent(s):

Mr.T.M.Pappiah for R2
Mrs.A.Jagadeeswari for R16
RR1, 3 4, 5,7, 8,11 to 15 (No Appearance)
R9 and R10 service awaited
R6 notice returned (insufficient address)
R17-Notice Returned (no such person)

COMMON JUDGMENT

(Judgment of the Court was delivered by N.Sathish Kumar J.)

These three Original Side Appeals have been filed challenging the order of the learned single Judge dismissing the application seeking amendment of the plaint to include the prayer to challenge the election held as per the directions of this Court, application filed to implead the Election Officer/retired Judge of this Court as respondent in the suit, to include the prayer to challenge the elections which was conducted as per the directions of this Court and application seeking leave of this Court to file the additional documents.

2. The suit in C.S.No.173 of 2023 was originally filed for the following reliefs:

“i. To declare that the resolution No.15 dated 03.10.22



passed in Tirupur 20th State Conference meeting January 2023 as published in Senguntha Mithran Chennai Issue No.1 at page 30 enabling defendant 2 to 4 to continue as office bearer beyond their 3 years tenure is exfacie illegal and null and void and unenforceable in law;

ii. Consequently grant permanent injunction restraining defendants 2 to 4 from interfering with the affairs of the first defendant Sangam in any manner

iii. To appoint Election Officer to conduct a Fresh election to the Office Bearers of the first defendant Sangam by convening AGM to amend the Bye Laws for enumeration of Branch office, district office eligible number of representatives to executive committee of the first defendant Sangam.

iv. To appoint Adhoc committee amongst the members of the first defendant Sangam to assist and facilitate the function of the Election Officer.

v. Mandatory Injunction directing the defendants 2 to 4 to handover the management and control including rendering of accounts of the first defendant Sangam to the Adhoc Committee.

vi. To declare Resolution No.21 dated 03.10.2022 passed in Tirupur 20th State Conference as published in Senguntha Mithran Chennai Issue No.1 January 2023 at page 31 and 32, regarding removal of members is exfacie illegal and null and void.

vii. To declare that the appointment of D5 to D17 as organisers of the first defendant Sangam as published in official magazine Senguntha Mithran at Chennai Issue No.4 April 2023 at Pages 36 and 37 is exfacie illegal and violative of Rule of



procedure and opposed to bye laws of the first defendant Sangam

viii. To pay the cost of the suit.

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ix. Grant such further or other reliefs in the facts and circumstances of the case.”

2. During the pendency of the suit, the Court has appointed Hon'ble Mr. Justice P.N. Prakash (Retd.) as Election Officer to conduct elections. Pursuant to such direction, election has been conducted and thereafter, it appears that not satisfied with the election results, an application has been taken out by the present appellants to implead Election Officer as one of the parties which was rightly negated by the learned single Judge. Not stopping with that, applications have been taken out to include the prayer challenging election process itself and also to file additional documents. Those applications were also dismissed. Challenging those orders, these three appeals have been filed.

3. We have heard the learned counsel for the parties and perused the materials available on record.

4. At the outset, we are of the view that these appeals challenging the orders of learned single Judge are not maintainable and we find no merits in these appeals for the following reasons:

- i) The very suit in C.S.No.173 of 2023 has been filed challenging certain resolutions passed to continue the tenure of ex-office bearers beyond three years and also regarding removal of members.



ii) This has already been taken note of by learned single Judge while appointing the Election Officer to conduct elections and elections have been conducted and fresh officer bearers have been elected.

When such being the position, if really the appellants are aggrieved over by such election and its process, the proper remedy for them is to file a separate suit and not by seeking an amendment in the present suit which is filed for other reliefs. Therefore, the cause of action which has arisen subsequently cannot be clubbed along with the present suit, which has already worked itself out and the suit has become infructuous. Therefore, the appellants cannot achieve indirectly what they cannot achieve directly.

5. Be that as it may, when this Court was about to dismiss the appeal, learned counsel for the appellants has filed a memo seeking permission to withdraw the suit in C.S.No.173 of 2023. The only apprehension expressed by the learned counsel for the appellants is that in another appeal filed in O.S.A.No.214 of 2025, a Division Bench of this Court while disposing the appeal with a request to learned single Judge to dispose of the suit clearly observed that properties of the Sangam shall not be dealt with by anybody. We deem it appropriate to make it clear that the direction of the Division Bench that the property of the Sangam shall not be dealt with by any body has to be retained. Therefore, we are of the view that the said order speaks for itself.



Admittedly, all the properties belong to Society. When such being the position, merely because somebody has been elected, as a matter of right, they cannot deal with the property without getting proper sanction from the appropriate Court. Hence, apprehension of the appellants has no legs to stand. In such view of the matter, nothing survives of adjudication in these appeals and they are liable to be dismissed. If the appellants are aggrieved by the elections, it is for them to file a separate suit challenging the election process in the manner known to law. The learned single Judge is requested to dispose of the suit itself in line with this order as the suit has become infructuous.

These appeals are dismissed with the above observations. Consequently, the connected miscellaneous petitions are closed. There shall be no order as to costs.

(N.S.K.,J.) (V.L.N.,J.)
18-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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OSA Nos. 369 and 373 of 2025 & O.S.A.No.20 of 2



**N.SATHISH KUMAR J.
AND
V.LAKSHMINARAYANAN J.**

GPA

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CMP No. 30977 and 31875 of 2025 & CMP No. 2069 of 2026**

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