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OA No. 1184 of 2025
A. No.6333 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-02-2026

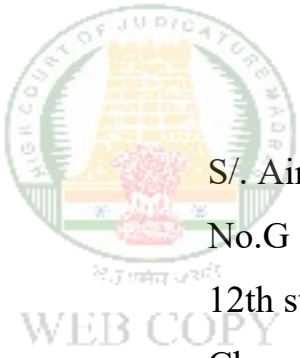
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THE HON'BLE MR.JUSTICE P. DHANABAL

OA No. 1184 of 2025 and A No. 6333 OF 2025

in CS NO. 304 OF 2025,

1. Mr. G. Srinivasan AND 4 OTHERS
Membership No.3400,S/O.Gnanaprakasam
No.16/49, Valluvan Salai,
Arumbakkam, Ch-600106
2. I.John Max
Membership No.2857
S/o.Isthappan,
No.108/11, 2nd Floor,
Mahadev Nivas, AVM Avenue, 5th Street,
Virugambakkam, Chennai-600092
3. Ranjith Kumar.P
Membership No.4254
S/o.Parijatham,
No.104-D, First Floor,
Rajavelan Homes , Neru Street,
Near Royal Hospital
Alwarthirunagar, Chennai-600087
4. A.K.Michael
Membership No.2372



S/. Aindhukayan
No.G 78, Subiksham Flats
12th street, Anna Nagar East
Chennai-600102

5. S.D.Youvakandha Rao
Membership No.3445,
S/o.Devapriyam,
No.37/19, TVK Ngar, 2nd Street, Pulianthope,
Chennai-600012

..Applicant(s) common
in both applications.

Vs

1. Tamil Film Producers Council and another
Rep by its Secretary
South Indian Film Chambers Compound,
No.606, Anna Salai, Chennai-600006
2. Justice.Mr.S.Rajeshwaran(Retd.)
Election Officer,
Tamil Film Producers Council
South Indian Film Chambers Compound,
No.606, Anna Salai , Ch-6
3. Mrs. T.Rajeswari Vendan
Proprietrix, M/s.Thaaيمان Thiraiyagam,
Residing at No.E 12/3, Taisha Apartments,
Natesan Nagar, Virugambakkam,
Chennai-600092



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OA No. 1184 of 2025
A. No.6333 of 2



(3rd Respondent impleaded as per order dated
03.02.2026 in A.No.503/2026)

..Respondent(s) common
in both applications.

PRAYER in OA No. 1184 of 2025: This Original Application has been filed under Order XIV Rule 8 of Original Side Rules read with Order XXXIV Rule 1 and 2 of Code of Civil Procedure praying to grant an Interim Injunction restraining the Respondents Association from in any manner whatsoever to conduct the election for the year 2026 to 2029 slated to be held on 22/02/2026 or any other subsequent dates, pending disposal of the above suit.

PRAYER in A No. 6333 of 2025: This application has been filed Order XIV Rule 8 of Original Side Rules read with Section 151 of Code of Civil Procedure praying to appoint a Retired High Court Judge as Election Officer to conduct the election for the office bearers and Executive Committee Members of the 1st Respondent Association for the year 2026 to 2029 afresh after scrutinizing and declare the final voters list in accordance with the bye-law of the 1st Respondent Association.

For Applicant(s): T.Thiageswaran for M/S.Waraon And Sai Rams

For Respondent(s): Mr Krishna Ravindran [for R1 and R2]
Ms. Dakshayani Reddy, Senior Counsel



for Mr. T.R. Prabhakarn [for R3]

COMMON ORDER

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The Original Application in O.A. No.1184 of 2025 has been filed to grant an Interim Injunction restraining the Respondents Association from in any manner whatsoever to conduct the election for the year 2026 to 2029 slated to be held on 22/02/2026 or any other subsequent dates, pending disposal of the above suit.

The application in A. No.6333 of 2025 has been filed to appoint a Retired High Court Judge as Election Officer to conduct the election for the office bearers and Executive Committee Members of the 1st Respondent Association for the year 2026 to 2029 afresh after scrutinizing and declare the final voters list in accordance with the bye-law of the 1st Respondent Association.

2. According to the applicants, they are the Plaintiffs in the main Suit, which is filed for the reliefs of declaration declaring that the Resolution passed by the General Body dated 09.11.2025 of the 1st defendant Association by fixing the election and appointing the 2nd defendant as the Election Officer and the Election Notice dated 04.12.2025 are null and void and non-est in the eye of law, for a permanent injunction restraining the 1st defendant from in any manner whatsoever conducting the election for the Office bearers and executive Committee Members of the 1st Defendant Association for the year 2026 to 2029 as contemplated in the Election notice dated 4.12.2025 slated to be held on



22.02.2026 or any other date and to appoint an independent Retired Judge of the High Court as Election Officer to conduct the election of the Office Bearers and the Executive Committee Members of the 1st Def association for the year 2026 to 2029 afresh after scrutinizing and declare the final Voters List as per the rules and regulations of the Bye-Law of the 1st defendant Association and for cost of the Suit. The applicants are the members of the 1st respondent Association. The 1st respondent Association is administered by an Executive Committee duly elected once in three years and the Executive Committee consists of one President, two Vice Presidents, two Secretaries, one Joint Secretary, one Treasurer and 26 Executive Committee members. The members of the Executive Committee shall hold their respective office for three years and the entire Executive Committee shall retire at the General Body Meeting, wherein election of the Office Bearers and Executive Committee Members are held and shall continue till the new Officer Bearers / Committee Members is duly elected. The election for the Officer Bearers and Executive Committee Members of the Association shall be conducted and announced at the General Body once in three years.

2.1. As per Clause 16 of the by-law, the Secretaries shall give notice to the members of the Council after fixing up the date of the General Body Meeting in the Executive Committee Meeting for the election of the Office Bearers and Executive Committee Members. The 1st respondent Association



conducted its Annual General Body meeting on 09.11.2025 whereunder it was decided to conduct the election of the Office bearers and its Executive Committee members for the 1st respondent Association for the years 2026-2029.

As per Clause 17 of the by-law, the Executive Committee when assembled to deliberate the fixation of General Body Meeting date, wherein the election of Office Bearers and Executive Committee members are held, after fixing the date of General Body, shall appoint a Senior Producer member from the Council as an Election Officer to conduct the elections. As per the norms and regulations prescribed by the Executive Committee such Officer should not be a candidate for any office.

2.2. However, contrary to the by-law of the Association, the General Body has appointed the Hon'ble Mr. Justice S. Rajeshwaran, Former Judge of High Court, Madras as an Election Officer, which is arbitrary and non-est in the eye of law. The Election Officer, had issued a notice containing the date and details of election on 04.12.2025. The Election Notice contains the date for issuance of nomination on 08.12.2025 to 15.12.2025 and the submission of the filled nomination from 11.12.2025 to 20.12.2025. The Election notice containing the table of dates has not been sent to all the members. The approach of the 1st respondent Association and the Election Officer indicate that to conclude the election without any contest from the table of dates announced by the Election Officer stating that the final list of candidates will be released on 30.12.2025 and the election will be convened on 22.02.2026. The Election



Notice issued on 04.12.2025 without giving sufficient time to reach the members and the date of issuance of nomination is fixed on 08.12.2025 within four days. The period for the present Office Bearers will come to an end on 30.04.2026. While so, in a hurried manner, the Election schedule has been announced.

2.3. Therefore, the Election announced by the 1st respondent Association much before the completion of period of the present Office bearers for the year 2023-2026. In the earlier occasion, various commotions happened during the election and therefore, it is absolutely necessary to appoint an independent retired High Court Judge as an Election Officer to conduct the election of the Office Bearers and the Executive Committee Members of the 1st respondent Association in a free and fair manner as per the by-laws of the Association after scrutinizing the Voters' list and finalise the same in accordance with rules and regulations of the by-laws of the Association. Therefore, the Plaintiff filed the Suit and now filed these applications to appoint a retired High Court Judge as an Election Officer to conduct the election and to grant interim injunction restraining the respondents from conducting the election for the year 2026 to 2029 slated to be held on 22/02/2026.

3. The respondents filed a common counter denying the averments made in the affidavit of the applications. The present Office Bearers and Executive Committee members were elected in the election held on 02.05.2023 and their



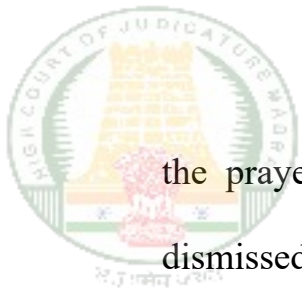
term is valid till 01.05.2026. While so, the Annual General Body Meeting was held on 09.11.2025 at Fayas Mahalin, where unanimous resolution was passed to conduct elections for the office bearers and the Executive Committee members in the 1st respondent Association for the years 2026 – 2029 and the same was done in compliance with Clause 16 of the By-laws. There is no violation as alleged in the Plaint. In the said Annual General Body Meeting Hon'ble Mr. Justice S. Rajeshwaran, a retired Judge of High Court was nominated as an Election Officer and the applicants, who were also present in the said Annual General Body Meeting, did not raise any objections regarding the nomination of the said Election Officer. In fact, the same Election Officer had been acted as an Election Officer for the previous election conducted in the year 2017. Therefore, the General Body unanimously appointed the said retired High Court judge as an Election Officer.

3.1. The Election Officer had called for a meeting with the members of the Association on 15.11.2025 and all the members were duly informed about the proposed meeting and all the members had duly participated in the meeting, wherein the date of election was fixed on 22.02.2026, after due consultation with the members, who were present in the said meeting. It was further decided that a draft voter list would be prepared and the same would be put in notice board from 17.11.2025 to 27.11.2025 for raising any objections. The applicants were present in the said meeting, where they had not raised any objection. The



Election Officer had once again called for meeting with the Members of the Association on 28.11.2025, where final draft of the voters list was produced and accepted by the members and date for election was decided to be held on 22.02.2026 and accepted by all the members and the date of election was fixed on 22.02.2026. On 04.12.2025, the Schedule for the said election was released. The applicants, who are very well aware of the conduct of the above said election and who have participated in the Annual General Body meeting and other meetings conducted by the Election Officer, neither raised any objection nor sent any communication / representation regarding their objections to the Association or the Election Officer till date.

3.2. The applicants 1, 2, 3 and 5 filed their nominations for the post of Executive Committee members before the Election Officer and their nominations have been accepted and published in the notice board in the list of accepted candidates. All the above four applicants have participated in all the meetings and had never raise any objection. The Election Officer has already started the election process and therefore the Suit has been filed with an ulterior ill-motive. The applicants have failed to take into consideration the prayer sought by them to appoint a retired High Court Judge, is by violating the Clause 17 of by-law which says that the Election Officer shall be a Senior Producer member from the council, but they have failed to take into consideration and prayed to appoint a retired High Court judge as an Election Officer. Therefore,



the prayer sought for by the applicants have no merits and deserves to be dismissed.

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4. Heard both sides and perused the entire materials available on record.

5. In this case, it is an admitted fact that the Annual General Body Meeting was convened on 09.11.2025 and in the said meeting, the Election Officer was appointed unanimously. Thereafter, the election process was commenced and the Election Officer finalised the voters list and announced the date of election. These applicants have also participated in the said Annual General Body Meeting and all other meetings and they have not submitted any objections either orally or in writing. Even after the appointment of the Election Officer, the applicants have not sent any communication either to the 1st respondent Association or to the Election Officer in respect of violations and without raising any objections and without any communication to the defendants, the Plaintiffs straight away filed the Suit.

6. It is pertinent to note that even the applicants 1, 2, 3 and 5 have applied for the post of Executive Committee members and they have participated in the election process, once they participate in the election process, they cannot object the same later. It is also an admitted fact that now the General Body nominated the Hon'ble retired Judge of High Court as an Election



Officer. There is no any personal allegation as against the Election Officer and the said Officer on earlier occasion also conducted the election. Therefore, once the applicants filed nominations accepting the appointment of Election Officer, later they cannot deny the same, without any valid grounds. There are no grounds urged by the applicants to allow these applications.

7. As far as the prayer in respect of interim injunction is concerned, the applicants have to prove the prima facie case, the balance of convenience and irreparable loss. There is no prima facie case made out and the applicants have participated in the General Body Meeting and it is also admitted by the applicants. But there is no any objection raised by them for the appointment of Election Officer. After admitting the appointment of Election Officer, they filed their nominations and voters list also finalised and the election date was also fixed. At this stage, the applicants cannot claim any injunction against the election process. If any violations, then they have to prove the same through trial. Therefore, there is no prima facie case made out and the applicants are not entitled to the relief of interim injunction.

8. As far as the appointment of the Election Officer is concerned, the prayer sought for in the application is to appoint a retired Judge of High Court. Already the General Body also nominated the Hon'ble retired Judge of this Court as an Election Officer and there is no any allegation as against the



Election Officer. Without sending any representation either to the 1st respondent or the 2nd respondent in respect of violations, the contention of the applicants cannot be accepted and even if any violations, then they can be challenged in the manner known to law. The Suit is in respect of the resolutions made in the General Body Meeting. Therefore, the contention of the applicants for the appointment of Election Officer is unnecessary one.

9. Further, the learned counsel appearing for the applicants would submit that during the last occasion also, the Hon'ble retired Judge of this court was appointed as an Election Officer and therefore, this time also another retired Judge of High Court may be appointed as an Election Officer. In this context, merely because, on earlier occasion, this Court appointed another retired Judge of High Court to conduct the election, as a matter of right, the applicants cannot claim to appoint another Election Officer. As the election process is also started, voter's list has also been finalised and the date of election is also fixed, it is not appropriate to appoint any other Election Officer and the applicants are not entitled to any relief through these applications and therefore, these applications have no merits and deserve to be dismissed.

10. Accordingly, the ***Original Application No.1184 of 2025 and the Application No.6333 of 2025 are dismissed.***

10-02-2026

MJS



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P.DHANABAL J.

MJS

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