

IN THE ASSISTANT CITY CIVIL COURT AT CHENNAI

Present: Thiru. K. Sivasakthivel Kannan., B.A., M.L.,

I Assistant Judge, City Civil Court, Chennai.

Thursday, the 02nd day of July, 2026

IA.No. 12 of 2025

in

O.S. No. 189 of 2025

(CNR.No.TNCH01-000675-2025)

1. Madras Reporters Guild,
Rep by its Secretary, Ommandurar,
Government Estate, Chennai – 600 002.
2. Rangaraj, S/o. Rajagopalan,
New No.19/9, 1st Street, Azzez Nagar,
Kodambakkam, Chennai – 600 024.
3. Sekar, S/o. Durairaj,
No.4/5, Embar Naidu, 2nd Street,
Villivakkam, Chennai – 600 049.
4. S.Pannerselvam, Election Officer,
Ommandurar Government Estate,
Chennai – 600 002.

- Petitioners / Defendants

-Vs-

A.Wilson Asirvatham, S/o. M.Anthony,
3/14, Mary Helan Street, Ventrivel Nagar,
Peravallur, Chennai – 600 082.

- Respondent / Plaintiff

Corrected as per Order in IA.13 of 2026, Dated 14.07.2026.

This application is came up before me for final hearing on 22.06.2026 in the presence of M/s. GS Mani, S.Hemanth Counsels for the Petitioners / Defendants and M/s. Sharath Chandran, R.Murugan, Rajagopal Vasudevan, M.Sathish, R.Harikrishnan, M.Ellakkiya, P.Tamizh Vendan, T.M.Ansel Lewis and E.Kishore Kumar Counsel for the Respondent / Plaintiff and after hearing on both sides and upon perusal of case records and having stood over for consideration till this date, this Court delivers the following;

ORDER

This Application filed by the Petitioners / Defendants under Order VII Rule 11 (a) & (b) reject the plaint in OS.No.189 of 2025 under VII Rule 11(a) & (b) and dismiss all connected IAs as infructuous.

2. Crux of the affidavit filed in support of the application :

(i) The Petitioner / Plaintiff stated that the Respondent / Plaintiff is a senior reporter of the Dinakaran News-paper which everyone knew is a ruling DMK party newspaper. The Respondent / Plaintiff who is not even a member of the 1st defendant / Madras Reporters Guild has taken the particulars of the Guild from the Article published in the Hindu dated 31.12.2024, enumerating the same in the plaint verbatim by copying even the comma and full stop has filed impugned suit challenging 1st defendant affairs and election process who has no locus standi to challenge same.

(ii) The Respondent / Plaintiff and some of his associates with political motivation has filed the present plaint in OS.No.189 of 2025 for the

relief of declaration the alleged election circular dated 20.12.2024 issued by 3rd defendant in the suit in Reg No.SRG/Chennai Central/377/2022 and published on 03.01.2025 as null and void and declaring the alleged election circular dated 20.12.2024 issued by 4th defendant in Reg No.SRG/Chennai Central/377/2022 and published on 03.01.2025 as null and void and to issue a decree of perpetual injunction restraining the defendants 2 to 4 from acting contrary to the decision taken at the meeting of the first defendant held on 27.12.2024 and 31.12.2024 and decree of perpetual injunction to restrain the second and third defendant their men and agents from taking any policy decisions for and on behalf of the 1st defendant till such time a newly elected office bearers are elected and take charge of their respective officers in the first respondent society.

(iii) The Respondent / Plaintiff is not a member of the 1st Petitioner / Defendant Association and thus he has no locus as such there is no cause of action to file the present plaint in OS.No.189 of 2025 before this court. The Plaintiff is admittedly not a member of the 1st defendant Association, Madras Reporters Guild. A non-member has no enforceable civil right to question membership, internal administration, or election of a voluntary association. The plaint does not disclose any cause of action in favour of the plaintiff as required under Order VII Rule 11 (a) CPC.

(iv) The present suit is barred in law. A third party interference in internal affairs of a voluntary association is impermissible in the eyes of law. The 1st defendant Association is a private voluntary association governed by its

own rules, regulations and bye-laws. A non-member has no statutory right to legal standing to invoke jurisdiction of the civil court to alter its membership structure or election process. This court may be pleased to reject the plaint in OS.No.189 of 2025 under Order VII Rule 11(a) & (d) of CPC. Hence this petition.

3. Crux of the Counter filed by the Respondent / Plaintiff in support of the application :

(I) The Respondent / Plaintiff stated that the petitioners / Defendants are seeking to introduce facts and contentions which do not form part of the plaint in order to seek rejection of the plaint. It is well settled that while considering an application under Order VII Rule 11 of CPC the court must confine itself only to the averments contained in the plaint and the documents relied upon therein. The present application is wholly misconceived devoid of merits and legally untenable and has been filed only with a view of delay the proceedings and avoid adjudication on merits. The defendants have deliberately attempted to portray the dispute as a mere internal administration matter of an association. In really, the plaint raises serious and substantial issues relating to manipulation of documents, ante dating of election circulars, electoral irregularities and arbitrary exclusion of eligible journalists from the membership process in a government funded association for reporters, in violation of the resolutions and decisions taken with regard to scrutiny of membership applications.

(ii) The Respondent / Plaintiff further stated that the first defendant association is functioning from premises and facilities provided by the government and is operating with funds and support extended by the Government for the welfare of journalists. Having accepted and benefited from such governmental support intended for the larger journalist community, the defendants cannot now seek to restrict the functioning of the association to a select few by arbitrarily excluding eligible journalists from participation. The 2nd petitioner / defendant who had participated in the initial meeting of journalists on 27.12.2024, was appointed as the co-convenor of the scrutiny committee and had signed the proceedings relating to the scrutiny process. Having done so the 2nd petitioner / defendant cannot now approbate and reprobate by taking a contrary stand.

(iii) The Respondent / Plaintiff further stated that the plaint, when read as a whole, clearly discloses a complete and subsisting cause of action. The plaint sets out the sequence of events including the registration of the first defendant association in the year 2022, the exclusion of several accredited journalists from the membership process, the meeting and resolution dated 27.12.2024 regarding scrutiny of membership applications, the submission of 535 applications on 31.12.2024, the finding that 476 applicants were eligible, and the subsequent attempt by the defendants to proceed with the election on the basis of an election circular purportedly dated 20.12.2024 which was actually published only on 03.01.2025. These facts clearly disclose a cause of action for

the present suit.

(iv) The Respondent / Plaintiff further stated that a perusal of the association document dated 28.12.2022 (Plaint Document No.3); registered before the Registrar of Societies, clearly shows that the first defendant association has been constituted for the benefit of reporters in Chennai. The plaintiff is a reporter working in Chennai. The plaint further pleads that the plaintiff has been associated with the Madras Reporters Guild since the year 2000 and is an accredited journalist holding Media Accreditation issued by the Government of Tamil Nadu. Plaint Document No. 2, would establish the locus standi of the plaintiff. The present suit is therefore not filed by an outsider or stranger to the issue, but by a journalist directly concerned with the functioning of the Guild, which was formed for the welfare and professional interests of journalists in Chennai and is operating from government premises with governmental support for the benefit of reporters in Chennai. In these circumstances, the plaintiff has sufficient and substantial locus to institute and maintain the present suit.

(v) The Respondent / Plaintiff further stated that the suit is not barred by any law. The defendants have wrongly invoked Order VII Rule 11(d) CPC. The plaint challenges illegality in the election process, arbitrary exclusion of eligible journalists, violation of the decisions taken regarding scrutiny of membership applications, and the use of suspicious and ante dated documents. These issues concern civil and legal obligations and fall squarely within the

jurisdiction of this court. This court may be pleased to dismiss the present petition filed under Order VII Rule 11 of CPC with exemplary costs.

04. Point for consideration :

5. Whether this petition can be allowed or not ?

6. Point

The petitioners / defendants stated that the respondent/plaintiff is not a member of the 1st defendant association. Hence the respondent/plaintiff has no right to question the internal affairs of the 1st petitioner / 1st defendant society. The plaintiff has no cause of action and pray to reject the plaint.

7. In contra the respondent/plaintiff stated that since the respondent/plaintiff is a reporter with 20 years service and the association is in the government sanctioned land. Hence the respondent/plaintiff has locus standi to file the suit and pray to dismiss the application.

8. It is admitted fact that the respondent/plaintiff is not a member of the 1st petitioner / 1st defendant association. The non member of the 1st petitioner / 1st defendant society has no right to challenge the decision taken by the 1st petitioner / 1st defendant society. The Honorable Apex court held in (T.P. Daver Vs. Lodge Victoria), reported in AIR 1963 SC 1144 that after becoming member of the society, there is a contractual obligation to the member to follow the bye laws of the society. So a non member of the society is not entitled to challenge the administration of the society. Hence the respondent/plaintiff has no locus standi to file the suit as against 1st petitioner /

1st defendant society and there is no cause of action for the respondent / plaintiff to file the suit.

9. As per the dictum laid down in Arivanantham Vs T. V. Satyapal and another on 14 October, 1977 it is held that “ We have not the slightest hesitation in condemning the petitioner for the gross abuse of the process of the court repeatedly and unrepentantly resorted to. From the statement of the facts found in the judgment of the High Court , it is perfectly plain that the suit now, pending before the first Munsif’s Court, Bangalore, is a fragrant misuse of the mercies of the law in receiving complaints. The learned Munsif must remember that if on a meaningful-not formal-reading of the complaint it is manifestly vexatious, and meritless, in the sense of not disclosing a clear right to sue, he should exercise his power under OR. VII r. CPC taking care to see that the ground mentioned therein is fulfilled. And, if clever, drafting has created the illusion of the cause of action, nip in the bud at the first hearing by examining the party searchingly under order CPC. An activist judge is the answer to irresponsible law suits. The trial court should insist imperatively on examining the party at the first bearing so that bogus litigation can be shot down at the earliest stage. The penal code (Ch. XI) is also resourceful enough to meet such men, and must be triggered against them, In this case, the learned judge to his cost realized what George Bernard Shaw remarked on the assassination of Mahatma Gandhi “It is dangerous to be too good” .

10. As per the above dictum the plaint ought to be rejected, because the plaintiff has no cause of action to file the suit because he is not a member of 1st petitioner / 1st defendant society.

11. From the above discussion this Court come to the conclusion that the respondent / plaintiff has no locus standi to question the administration of the 1 respondent / 1st defendant society and there is no cause of action to the respondent/plaintiff to file the suit. So, the suit ought to be rejected as per order 7 rule 11(a) of CPC and the application ought to be allowed without cost.

In the result, the application is allowed and the plaint stands rejected.

Dictated by me to steno-typist, and computerized directly by her, corrected and pronounced by me in the open court on this the 02nd day of July, 2026

I Assistant Judge,
City Civil Court, Chennai.

Both sides Witnesses and Exhibits :- Nil

I Assistant Judge,
City Civil Court, Chennai.

Draft/Fair Order

IA.No. 12 of 2025

in

O.S. No. 189 of 2025

Dated : 02.07.2026

I Assistant City Civil Court,
Chennai.