

**IN THE COURT OF SUBORDINATE JUDGE,
MADURANTAKAM**

**Present: Mr. T.GANESH B.A., B.L.,
Subordinate Judge,
Madurantakam**

Friday, the 13th day of March, 2026

I.A. No. 4/2025

in

O.S No. 173/2025

(CNR.No.TNCG13-000497-2025)

Pushpavalli Suresh Babhu

...Petitioner/Plaintiff

..Vs..

1. Pearl Beach Plot Owners Association (Regn No. 122/2018)

Rep.by its President,

Ramaraj.

2. Ramaraj

3. Mita Dhar

4. Usha Rani

5. Magesh Kumar

6. K. Gopalan

7. Dr. Vijayaragavan

8. Suji Kumar

9. The Inspector General of Registration,
Chennai.

10. The District Registrar,
Registrar of Societies.

11. Ganesh Kumar Prasad

12. Srinivasan

13. Dr. Muthukumaran Jayapal

14. Vijay Gujjilapudi

15. Y.N.Raghavendra

... Respondents/Defendants

This petition coming up for final hearing on 02.03.2026 in the presence of Mr.S.Rajkamal, counsel for the petitioner/plaintiff and M/s.Kaushik N.Sharma, S.P.Surendranath, J.Jeya Sebare Eswaran, E.M.Sachin, Kirithika.H, T.Kiran Rani,

Jeevitha. P and M.Ugandhar, counsel for Respondents 1 to 8, 12, 15, Mr.G.S.Suresh Babu Government Pleader for Respondents 9 and 10, Respondents 1, 2, 9 to 14 were called absent and set exparte in main suit and after hearing the arguments on both sides, upon perusing the case records and having stood over for the consideration of this court till date, this court delivered the following.

ORDER

This petition is filed by the Petitioner/Plaintiff under Order XXXIX Rule 1 and 2 of Civil Procedure Code to order of interim injunction restraining the Respondents 4th to 6th, 8th & 12th from functioning as office bearers or exercising any powers as Executive Committee members of the 1st Respondent Association pending final disposal of the suit.

2. Averments of the Petitioner:

Petitioner/Plaintiff in the above suit and he competent to swear to this Affidavit having been intimately involved in the affairs of the 1st Respondent Association as its duly elected Secretary from August 2023 to August 2025. Petitioner is a member of the 1st Respondent Association and owner of a plot in the Pearl Beach Layout, Paramankeni Village, Cheyyur Taluk, Chengalpattu District. As a member who has diligently served the Association and witnessed the systematic violations of its bylaws, petitioner had the requisite locus standi to challenge the illegal proceedings that have compromised the Association's governance.

The present application for interim relief has become necessary due to the grave and irreparable prejudice being caused to the 1st Respondent Association and its legitimate members by the continued functioning of illegally elected office bearers. On 10.08.2025, the Annual General Meeting of the 1st Respondent Association was conducted by the 7th Respondent as Chairperson in blatant violation of the Association's amended bylaws. Despite petitioner's repeated

objections as the then Secretary, the 7th Respondent permitted suspended members (Respondents 4 to 6) who had been suspended vide order dated 04.06.2024 and ineligible participants (Respondents 3, 8 and 12) to not only participate but also contest and win positions in the Executive Committee.

The 7th Respondent also allowed defaulting members who had not cleared their dues as mandated under Bylaw No. 2(f) and 3(e) to participate in the AGM proceedings. As per the amended bylaws, defaulting members forfeit their voting rights until dues are cleared, yet this fundamental provision was brazenly ignored. That non-members including but not limited to the respondents 3, 8 and 12, were unlawfully permitted to participate in and influence the AGM proceedings despite having no legal right to do so under the Association's byelaws. AGM proceedings were conducted without following the mandatory order of procedure prescribed under By law Clause No. 15. Essential agenda items including budget approval for FY 2025-2026, appointment of auditor, and proper deliberation on disciplinary proceedings were either bypassed or inadequately addressed. The 7th Respondent arbitrarily proclaimed the revocation of suspension of the Respondents 4 to 6 without any discussion, deliberation, or voting by the General Body. This unilateral decision was made conditional upon withdrawal of O.S. No. 121 of 2025, which was subsequently withdrawn on 14.08.2025, creating a façade of legitimacy for an otherwise invalid process.

The election/selection of the Respondents 3, 4 to 6, 8 and 12 to the Executive Committee is illegal and void ab initio, especially considering the fact that the Respondents 4 to 6 were suspended members who remained disqualified from participation until 14.08.2025 and were also defaulting members who had not cleared their dues as mandated under Bylaw No. 3(e). Respondents 3, 8 and 12 were not a members of the Association and lacked authorization as a deemed member under Bylaw No. 2(j). The subsequent appointment of office bearers

announced on 15.08.2025, namely the 3rd Respondent as Treasurer, 4th Respondent as Secretary, and 5th Respondent as Joint Secretary, is equally invalid being based on the void election to the Executive Committee.

Despite repeated requests made on 17.08.2025 and 20.08.2025, the Respondents have failed to publish the minutes of the AGM held on 10.08.2025 or any subsequent Executive Committee meeting, and this failure to maintain transparency violates the fundamental principles of Association governance. The budget for FY 2025-2026 remains unapproved due to the arbitrary conduct of the AGM, and without a valid budget, the Association cannot function legally, creating an operational paralysis that affects essential services to all members. The 1st Respondent Association currently holds surplus funds which are at risk of mismanagement by illegally constituted office bearers who lack legitimate authority to handle Association finances.

A strong prima facie case is established in his favor based on clear violations of the Association's amended bylaws regarding member eligibility and voting rights, procedural irregularities in conducting the AGM that violate principles of natural justice, documentary evidence of the systematic exclusion of legitimate concerns and objections, and the absence of proper authorization for critical appointments and decisions. The 9th Respondent (Inspector General of Registration) had previously upheld his election as Secretary vide order dated 04.03.2024 and subsequently directed acceptance of the bylaw amendments vide order dated 27.01.2025, establishing the legal validity of the very bylaws that were violated during the impugned AGM.

The balance of convenience lies clearly in his favor as allowing the illegally elected office bearers to continue would legitimize violations of the Association's governing documents, the Association's operations are already paralyzed due to lack of valid budget approval, legitimate members' rights are being trampled upon

by those lacking proper authority, and the integrity of the Association's democratic processes is at stake. No prejudice would be caused to the Respondents by maintaining the status quo through interim relief, whereas continuing the current illegal arrangement would cause irreparable harm to the Association's governance structure. Petitioner and the legitimate members of the Association will suffer irreparable injury if interim relief is not granted because invalid office bearers will continue making binding decisions affecting all members, statutory returns filed with the Respondents 9 and 10 based on invalid elections will create legal complications, the Association's credibility and democratic functioning will be permanently damaged, and monetary compensation cannot restore the damage to governance processes and member confidence. Having transformed the Association from a deficit organization to one with surplus funds, petitioner had demonstrated his commitment to its welfare and proper governance, and the current illegal arrangement threatens to undo the progress achieved through legitimate democratic processes.

Respondents 4 to 6, 8 & 12 must be restrained from functioning as office bearers because their election was conducted in violation of mandatory bylaw provisions, several of them lack valid membership status or were disqualified at the time of election, allowing them to continue would perpetuate violations of the Association's constitutional documents, and their continued functioning validates the illegal AGM proceedings. Respondents 9 and 10 must be restrained from accepting Form-VII or other statutory returns from the current office bearers because such returns would be based on invalid elections and appointments, acceptance would give legal sanction to fundamentally flawed proceedings, it would create complications in future governance and legal proceedings, and the integrity of regulatory oversight requires accurate information.

The interim measures are necessary to protect the Association's funds because illegally appointed office bearers lack authority to operate bank accounts, the Association holds substantial surplus funds requiring proper stewardship, without valid budget approval any expenditure would be ultra vires, and members' contributions must be safeguarded against misuse. Immediate publication of meeting minutes is essential because transparency is a fundamental principle of Association governance, members have a right to know the exact proceedings and decisions taken, the current office bearers have deliberately withheld this information despite repeated requests, and proper accountability requires complete documentation of proceedings.

An Extraordinary General Body Meeting must be conducted to approve the pending FY 2025-2026 budget without which the Association cannot function, address the procedural lapses and governance crisis created by the invalid elections, ensure proper deliberation on agenda items that were bypassed in the AGM, and restore democratic functioning under proper supervision. Statutory notice under Section 80 of the Code of Civil Procedure should be dispensed with regard to the Respondents 9 and 10 because of the urgency of the matter as the Association's governance crisis requires immediate intervention and any delay would cause irreparable harm to democratic processes, the nature of relief sought against the Respondents 9 and 10 is regulatory/supervisory in nature and does not involve any claim for damages against the State, the proper regulation of society registrations and maintenance of accurate records is in public interest and does not require prior notice, and no monetary relief or damages are claimed against the Respondents 9 and 10, merely regulatory compliance and accurate record maintenance.

Respondents 9 and 10 are being impleaded merely to ensure that inaccurate statutory returns are not accepted and to maintain the integrity of their registration

records, and their role is purely regulatory, while dispensing with notice would serve the larger public interest of ensuring accurate society registrations. No equally efficacious alternative remedy is available because the Association's internal mechanisms have been compromised by the invalid elections, the current office bearers being illegally appointed cannot be expected to remedy their own invalid appointments, the Respondents 9 and 10 prior orders support the validity of the bylaws that were violated, and only judicial intervention can restore the rule of law and proper governance.

Petitioner approach this Court with clean hands and in good faith, having served the Association diligently as Secretary transforming it from deficit to surplus, consistently followed proper procedures and maintained transparency in all dealings, raised timely objections during the AGM proceedings when violations occurred, and made repeated attempts to address issues through proper channels before approaching the Court. The present application is not motivated by any personal animosity but by a genuine concern for upholding the rule of law and protecting the democratic rights of all Association members.

The exceptional circumstances of this case, involving systematic violations of constitutional documents and democratic processes, warrant the grant of comprehensive interim relief to prevent further damage to the Association's governance structure. The continued operation of an illegally constituted Executive Committee would not only violate the rights of legitimate members but also undermine the regulatory framework governing society registrations and operations.

Hence the petitioner files this petition for interim injunction restraining the Respondents 4th to 6th, 8th & 12th from functioning as office bearers or exercising any powers as Executive Committee members of the 1st Respondent Association pending final disposal of the suit.

3. Counter of 4th respondent in brief:

The respondent denies the allegations set out in the affidavit. Respondents 2 to 8 and 11 to 15 are all Executive Committee members of the 1st Respondent Association and owners of their respective plots situated at Pearl Beach Layout, Paramankeni Village, Cheyyur Taluk, Chengalpattu District. After institution of the present suit, Respondents 2, 12, 13 and 14 have resigned from the Executive Committee and from their designation. The application filed by the petitioner has not stated the correct statements of facts, and for the sake of convenience, the correct statement of facts are as follows:

The 1st Respondent Association was formed in the year 2018, and the Respondents 4 to 6 have been actively involved in the affairs of the Association from its inception. The present suit, as well as the application for interim relief filed by the Petitioner, has its genesis in the Petitioner's prolonged personal enmity towards Respondents 4 to 6, which arose after they filed a formal complaint dated 21.08.2023 before the District Registrar, Chengalpattu, regarding serious irregularities in the administration of the Association. The important points in the said complaint are extracted below for the sake of convenience and understanding

a) Illegal appointment of the Petitioner as Secretary and another individual as President, in violation of the Byelaws and the Tamil Nadu Societies Registration Act, 1975.

b) Large-scale financial irregularities and non-compliance with statutory requirements and standard accounting practices.

Following the above complaint, a suit in O.S. No. 121 of 2025 was filed by the Respondent 4 to 6 against the petitioner and was later withdrawn on 14.08.2025 based on the resolution passed on the AGM. It is very pertinent to note that the Petitioner/Plaintiff has been acting as the Secretary of the 1st Respondent Association for the last two years ie., 2022-23 and 2023-24, and all the accounts of

the Association were handled by her. Her post as the Secretary, since some of her decisions were questioned by the Respondent No. 4 to 6, she had gained personal vengeance and moved a motion to suspend the Respondent No. 4 to 6 in violation of the Bye-Laws.

She had acted against the Bye-Laws in suspending a member, the same was legally challenged by the Respondent Nos. 4 to 6 in the aforesaid suit. During her term, she had issued the notice for AGM and she was under the assumption that the members in the AGM would vote against Respondent Nos. 4 to 6 and take a decision in her favor. The moment the decision taken in the AGM was against her, with a sheer motive to take revenge against the Respondent Nos 4 to 6, she has filed this suit and the application as well, seeking various remedies before this Court.

The AGM dated 10.08.2025 was convened and conducted strictly in accordance with the Byelaws. It is pertinent to state that the Petitioner herself acted as the Secretary (albeit illegally as per Byelaws) and, therefore, any alleged violation in AGM procedure would be attributable to her own actions. During the AGM, the Petitioner repeatedly displayed disorderly behavior, including showing disrespect to the Chairperson (7th Respondent) and abruptly leaving the meeting hall on several occasions, accompanied by a small group of members aligned with her. Her conduct created avoidable disruption. On such occasions, the Chairperson, owing to his seniority, reputation, and responsibility to ensure continuity of proceedings, presided over the deliberations solely to maintain order and facilitate completion of the meeting.

The 7th Respondent, as Chairperson of the AGM, permitted Respondents 4 to 6 (who were previously suspended by the Petitioner without any authority under the Byelaws) to participate in the meeting only after the General Body unanimously resolved to revoke the suspension. The members, after hearing the

explanation of Respondent Nos. 4 to 6, who were earlier suspended, found that the suspension was baseless, illegal, and personally motivated. The Petitioner's hostile behavior towards long-standing members, many of whom have contributed substantial amounts far exceeding the standard annual subscription, created an unhealthy and humiliating environment during the AGM. The Chairperson intervened only to avoid escalation.

Respondents 3 and 12 mutually regularized their membership status in accordance with the Byelaws. It is noteworthy that the 12th Respondent had served on previous Executive Committees without any objection from the Petitioner. The General Body, after hearing them, unanimously revoked the suspension through a voice vote with a direction to the Respondent Nos. 4 to 6 to withdraw the civil suit in O.S. No. 121 of 2025, before this Court. The civil suit O.S. No. 121 of 2025 was withdrawn on 14.08.2025. Petitioner was intentionally absent during these deliberations, as she was not in agreement with the revocation of the suspension.

The non-completion of certain agenda items during the AGM occurred primarily due to the Petitioner's failure to prepare a proper agenda despite being the Secretary, and due to her omission of the crucial item relating to the Budget for FY 2025-26, despite earlier agreement amongst EC members that she would prepare and present the same, further because of her poor assessment of the time required to transact an unusually long list of items. Members expressed concern over the absence of the Budget item and advised the newly elected EC to prepare and circulate a draft budget. The new EC subsequently prepared a transparent, cost-effective budget, which has been overwhelmingly supported by over 90% of the members, who have already paid their subscription.

The selection and appointment of the present office-bearers was conducted strictly in accordance with procedure, in the presence of the General Body, and with its full mandate. The Minutes of the AGM and EC meetings have been

published promptly on a publicly accessible platform created by the new EC, ensuring maximum transparency. Attached the copy of the minutes along with the counter.

Petitioner's assertion that the District Registrar (9th Defendant) and Inspector General of Registration (10th Defendant) upheld her appointment as Secretary is misleading. The order dated 04.03.2024 of the District Registrar was erroneous and issued without proper appreciation of the illegality of the amendments to the Byelaws. The Inspector General, by his order dated 27.02.2025, directed the District Registrar to re-examine the amendments in line with the powers given and to examine the amendments, whether they are in contravention of the Societies Registration Act.

Petitioner has exploited the erroneous March 2024 order to continue illegally as Secretary and commit serious administrative and financial violations. There are several documentary materials available to clearly establish the extensive financial irregularities, violation of Byelaws, and misuse of office committed by her. The present suit is a direct consequence of her vindictive intention to target the Respondents for exposing her misconduct before the competent authorities.

The Association is functioning efficiently, its activities are fully transparent, and the members have expressed appreciation for the high-quality maintenance and developmental work undertaken by the current EC. Upholding the Petitioner's baseless plea would disrupt the functioning of a democratically elected Executive Committee and cause serious prejudice to the 140 members who have overwhelmingly supported it. Granting the relief sought by the Petitioner would effectively enable her re-entry into the Executive Committee, revive her unauthorized acts, and legitimize past violations of the Byelaws and the Act

committed by her and her close associates. Such an outcome would be contrary to the collective will of the Association and detrimental to transparent administration.

Respondents affirm that the present Executive Committee is functioning strictly within the Byelaws and the Act, with complete financial transparency, adherence only to approved budgeted items, and regular disclosure of expenses to the members through the Executive Committee communication platform. It is incorrect and misconceived to allege that the duly elected members of the Executive Committee were "illegally elected office bearers." Annual General Meeting held on 10.08.2025 was convened and conducted strictly in accordance with the Byelaws of the Association. Petitioner/Plaintiff herself had issued notice to Respondents 4 to 6, calling upon them to attend the AGM and present their explanation with respect to the suspension order. During the deliberations on this issue, it was the Petitioner /Plaintiff alone who repeatedly objected to the revocation of the suspension, whereas the General Body, with complete unanimity, voted in favor of revoking the said suspension after hearing the explanations offered by Respondents 4 to 6.

The 4th respondent deny the averments contained in Paragraph 4 of the application. At the outset, it is submitted that the so-called amendments to the Byelaws are themselves illegal and void, as they were purportedly brought into force arbitrarily, without properly placing them before the General Body, without any proper discussion, and without following the mandatory procedure prescribed under the Byelaws and the Act. The Minutes of the relevant meeting clearly demonstrate that no such amendments were ever tabled, deliberated, or validly passed, thereby rendering the Plaintiff's claim wholly untenable.

The suspended members (Respondents 4 to 6) were formally invited by the Plaintiff herself to attend the AGM and present their defence against their suspension. During the AGM, the General Body, by a unanimous majority,

resolved to revoke the suspension, subject to the conditions that (i) the civil suit filed against the Association would be withdrawn, and (ii) the pending dues, if any, would be cleared. Respondents 4 to 6 accepted these conditions immediately and paid the dues on the same evening, and the suit was withdrawn on the very next hearing on 14.08.2025,

Upon revocation of the suspension by the General Body, Respondents 4 to 6 automatically regained their full membership status and were thereby legally entitled to participate in the AGM and exercise all rights attached to their membership. The suspension of Respondents 4 to 6 was revoked only after the General Body unanimously resolved to do so. The Minutes of the AGM and EC meetings have been published promptly on a publicly accessible platform created by the new EC, ensuring maximum transparency. The valid budget was already decided and successfully acted upon without any issues. From the explanations furnished herein above, it is evident that the members of the Executive Committee were validly and duly elected, and there is no illegality in their appointment. Plaintiff is not seeking the maintenance of the status quo but is, in effect, praying for an order restraining the duly elected Executive Committee from discharging their legitimate functions. That granting such a relief would be wholly unjust, unreasonable, and detrimental to the effective governance and day-to-day administration of the Association, and would cause irreparable harm to its functioning.

Mere assertion by the Petitioner/Plaintiff that the members were "illegally elected" does not render the validly conducted elections unlawful. Democratic functioning of the Association is proceeding smoothly under the duly elected Executive Committee. It is only the Petitioner/Plaintiff who, by raising unfounded allegations and seeking unwarranted interim reliefs, is attempting to obstruct the legitimate functioning of the office bearers and disrupt the governance of the

Association. The Respondents 4 to 6, 8 and 12 were duly and legally elected through a proper electoral process, and hence cannot be restrained from performing their functions. Plaintiff cannot seek to restrain government authorities, namely the Respondents 9 and 10, from discharging their statutory duties. Consequently, the prayer to prohibit them from receiving or processing Form-VII is wholly untenable and not maintainable in law. Respondents are prepared to produce the Minutes of the Meeting in which they were duly elected as office bearers, thereby establishing the complete legality and validity of their appointment.

The valid budget was already decided and successfully acted upon, hence there is no need for any extraordinary General Body Meeting. That there is no necessity to invoke or override Section 80 of the Civil Procedure Code in the present case, as there is no urgency in this matter. The 7th respondent deny the averment that Respondents 9 and 10 have been impleaded merely for "regulatory compliance. On the contrary, their presence is necessary. especially because the Plaintiff has sought a specific relief against them, namely, a direction restraining them from accepting Form-VII. Such a prayer directly concerns their statutory duties, and therefore their impleadment is both proper and legally required.

Numerous and serious allegations were raised against the then Secretary, the Petitioner/Plaintiff, by several members, and throughout the functioning of the Association, it was the Plaintiff who persistently opposed and obstructed all legitimate processes. The very foundation of the present suit arises from the Plaintiff's prolonged personal vengeance and animosity towards Respondents 4 to 6, who had lodged a complaint before the District Registrar, Chengalpattu, on 21.08.2023, detailing grave instances of maladministration committed by the Plaintiff. These undisputed facts clearly establish that the suit has been instituted

with an ulterior motive, driven by personal hostility rather than any genuine grievance relating to the functioning of the Association.

Granting an injunction against the Respondents 4 to 6, 8 and 12 from functioning as office bearers and restraining them from operating bank accounts would abruptly affect the smooth functioning of the association, and it would be inappropriate to stop the legally valid office bearers from discharging their duties. That asking interim injunction restraining the Respondents 9 and 10, who are the government officials, from accepting form VII is not maintainable as nobody can restrain the government officials from discharging their official duties. Their prayer to dispense with the statutory notice under section 80(2) of CPC should not be granted, as there is no urgency in this matter.

Petitioner/Plaintiff was the secretary when the AGM meeting was conducted on 10.08.2025, hence the minutes are available to her and the executive committee meeting held after that was already published promptly on a publicly accessible platform created by the new EC, ensuring maximum transparency and also attached with the counter. Petitioner/Plaintiff who has not submitted several association records, especially the documents related to the regular accounts and for which respondents have already sent the legal notice.

The FY 2025-2026 was already properly approved and acted upon successfully. So, there is no need for an Extraordinary General Body Meeting. Hence the respondents pray for dismissal of the application.

4. Counter of 6th respondent in brief:

The respondent denies the allegations set out in the affidavit. Respondents 2 to 8 and 11 to 15 are all Executive Committee members of the 1st Respondent Association and owners of their respective plots situated at Pearl Beach Layout, Paramankeni Village, Cheyyur Taluk, Chengalpattu District. After institution of the present suit, Respondents 2, 12, 13 and 14 have resigned from the Executive

Committee and from their designation. The application filed by the petitioner has not stated the correct statements of facts, and for the sake of convenience, the correct statement of facts are as follows:

The 1st Respondent Association was formed in the year 2018, and the Respondents 4 to 6 have been actively involved in the affairs of the Association from its inception. The present suit, as well as the application for interim relief filed by the Petitioner, has its genesis in the Petitioner's prolonged personal enmity towards Respondents 4 to 6, which arose after they filed a formal complaint dated 21.08.2023 before the District Registrar, Chengalpattu, regarding serious irregularities in the administration of the Association. The important points in the said complaint are extracted below for the sake of convenience and understanding

a) Illegal appointment of the Petitioner as Secretary and another individual as President, in violation of the Byelaws and the Tamil Nadu Societies Registration Act, 1975.

b) Large-scale financial irregularities and non-compliance with statutory requirements and standard accounting practices.

Following the above complaint, a suit in O.S. No. 121 of 2025 was filed by the Respondent 4 to 6 against the petitioner and was later withdrawn on 14.08.2025 based on the resolution passed on the AGM. It is very pertinent to note that the Petitioner/Plaintiff has been acting as the Secretary of the 1st Respondent Association for the last two years ie., 2022-23 and 2023-24, and all the accounts of the Association were handled by her. Her post as the Secretary, since some of her decisions were questioned by the Respondent No. 4 to 6, she had gained personal vengeance and moved a motion to suspend the Respondent No. 4 to 6 in violation of the Bye-Laws.

She had acted against the Bye-Laws in suspending a member, the same was legally challenged by the Respondent Nos. 4 to 6 in the aforesaid suit. During her

term, she had issued the notice for AGM and she was under the assumption that the members in the AGM would vote against Respondent Nos. 4 to 6 and take a decision in her favor. The moment the decision taken in the AGM was against her, with a sheer motive to take revenge against the Respondent Nos 4 to 6, she has filed this suit and the application as well, seeking various remedies before this Court.

The AGM dated 10.08.2025 was convened and conducted strictly in accordance with the Byelaws. It is pertinent to state that the Petitioner herself acted as the Secretary (albeit illegally as per Byelaws) and, therefore, any alleged violation in AGM procedure would be attributable to her own actions. During the AGM, the Petitioner repeatedly displayed disorderly behavior, including showing disrespect to the Chairperson (7th Respondent) and abruptly leaving the meeting hall on several occasions, accompanied by a small group of members aligned with her. Her conduct created avoidable disruption. On such occasions, the Chairperson, owing to his seniority, reputation, and responsibility to ensure continuity of proceedings, presided over the deliberations solely to maintain order and facilitate completion of the meeting.

The 7th Respondent, as Chairperson of the AGM, permitted Respondents 4 to 6 (who were previously suspended by the Petitioner without any authority under the Byelaws) to participate in the meeting only after the General Body unanimously resolved to revoke the suspension. The members, after hearing the explanation of Respondent Nos. 4 to 6, who were earlier suspended, found that the suspension was baseless, illegal, and personally motivated. The Petitioner's hostile behavior towards long-standing members, many of whom have contributed substantial amounts far exceeding the standard annual subscription, created an unhealthy and humiliating environment during the AGM. The Chairperson intervened only to avoid escalation.

Respondents 3 and 12 mutually regularized their membership status in accordance with the Byelaws. It is noteworthy that the 12th Respondent had served on previous Executive Committees without any objection from the Petitioner. The General Body, after hearing them, unanimously revoked the suspension through a voice vote with a direction to the Respondent Nos. 4 to 6 to withdraw the civil suit in O.S. No. 121 of 2025, before this Court. The civil suit O.S. No. 121 of 2025 was withdrawn on 14.08.2025. Petitioner was intentionally absent during these deliberations, as she was not in agreement with the revocation of the suspension.

The non-completion of certain agenda items during the AGM occurred primarily due to the Petitioner's failure to prepare a proper agenda despite being the Secretary, and due to her omission of the crucial item relating to the Budget for FY 2025-26, despite earlier agreement amongst EC members that she would prepare and present the same, further because of her poor assessment of the time required to transact an unusually long list of items. Members expressed concern over the absence of the Budget item and advised the newly elected EC to prepare and circulate a draft budget. The new EC subsequently prepared a transparent, cost-effective budget, which has been overwhelmingly supported by over 90% of the members, who have already paid their subscription.

The selection and appointment of the present office-bearers was conducted strictly in accordance with procedure, in the presence of the General Body, and with its full mandate. The Minutes of the AGM and EC meetings have been published promptly on a publicly accessible platform created by the new EC, ensuring maximum transparency. Attached the copy of the minutes along with the counter.

Petitioner's assertion that the District Registrar (9th Defendant) and Inspector General of Registration (10th Defendant) upheld her appointment as Secretary is misleading. The order dated 04.03.2024 of the District Registrar was erroneous

and issued without proper appreciation of the illegality of the amendments to the Byelaws. The Inspector General, by his order dated 27.02.2025, directed the District Registrar to re-examine the amendments in line with the powers given and to examine the amendments, whether they are in contravention of the Societies Registration Act.

Petitioner has exploited the erroneous March 2024 order to continue illegally as Secretary and commit serious administrative and financial violations. There are several documentary materials available to clearly establish the extensive financial irregularities, violation of Byelaws, and misuse of office committed by her. The present suit is a direct consequence of her vindictive intention to target the Respondents for exposing her misconduct before the competent authorities.

The Association is functioning efficiently, its activities are fully transparent, and the members have expressed appreciation for the high-quality maintenance and developmental work undertaken by the current EC. Upholding the Petitioner's baseless plea would disrupt the functioning of a democratically elected Executive Committee and cause serious prejudice to the 140 members who have overwhelmingly supported it. Granting the relief sought by the Petitioner would effectively enable her re-entry into the Executive Committee, revive her unauthorized acts, and legitimize past violations of the Byelaws and the Act committed by her and her close associates. Such an outcome would be contrary to the collective will of the Association and detrimental to transparent administration.

Respondents affirm that the present Executive Committee is functioning strictly within the Byelaws and the Act, with complete financial transparency, adherence only to approved budgeted items, and regular disclosure of expenses to the members through the Executive Committee communication platform. It is incorrect and misconceived to allege that the duly elected members of the

Executive Committee were "illegally elected office bearers." Annual General Meeting held on 10.08.2025 was convened and conducted strictly in accordance with the Byelaws of the Association. Petitioner/Plaintiff herself had issued notice to Respondents 4 to 6, calling upon them to attend the AGM and present their explanation with respect to the suspension order. During the deliberations on this issue, it was the Petitioner /Plaintiff alone who repeatedly objected to the revocation of the suspension, whereas the General Body, with complete unanimity, voted in favor of revoking the said suspension after hearing the explanations offered by Respondents 4 to 6.

The 4th respondent deny the averments contained in Paragraph 4 of the application. At the outset, it is submitted that the so-called amendments to the Byelaws are themselves illegal and void, as they were purportedly brought into force arbitrarily, without properly placing them before the General Body, without any proper discussion, and without following the mandatory procedure prescribed under the Byelaws and the Act. The Minutes of the relevant meeting clearly demonstrate that no such amendments were ever tabled, deliberated, or validly passed, thereby rendering the Plaintiff's claim wholly untenable.

The suspended members (Respondents 4 to 6) were formally invited by the Plaintiff herself to attend the AGM and present their defence against their suspension. During the AGM, the General Body, by a unanimous majority, resolved to revoke the suspension, subject to the conditions that (i) the civil suit filed against the Association would be withdrawn, and (ii) the pending dues, if any, would be cleared. Respondents 4 to 6 accepted these conditions immediately and paid the dues on the same evening, and the suit was withdrawn on the very next hearing on 14.08.2025,

Upon revocation of the suspension by the General Body, Respondents 4 to 6 automatically regained their full membership status and were thereby legally

entitled to participate in the AGM and exercise all rights attached to their membership. The suspension of Respondents 4 to 6 was revoked only after the General Body unanimously resolved to do so. The Minutes of the AGM and EC meetings have been published promptly on a publicly accessible platform created by the new EC, ensuring maximum transparency. The valid budget was already decided and successfully acted upon without any issues. From the explanations furnished herein above, it is evident that the members of the Executive Committee were validly and duly elected, and there is no illegality in their appointment. Plaintiff is not seeking the maintenance of the status quo but is, in effect, praying for an order restraining the duly elected Executive Committee from discharging their legitimate functions. That granting such a relief would be wholly unjust, unreasonable, and detrimental to the effective governance and day-to-day administration of the Association, and would cause irreparable harm to its functioning.

Mere assertion by the Petitioner/Plaintiff that the members were "illegally elected" does not render the validly conducted elections unlawful. Democratic functioning of the Association is proceeding smoothly under the duly elected Executive Committee. It is only the Petitioner/Plaintiff who, by raising unfounded allegations and seeking unwarranted interim reliefs, is attempting to obstruct the legitimate functioning of the office bearers and disrupt the governance of the Association. The Respondents 4 to 6, 8 and 12 were duly and legally elected through a proper electoral process, and hence cannot be restrained from performing their functions. Plaintiff cannot seek to restrain government authorities, namely the Respondents 9 and 10, from discharging their statutory duties. Consequently, the prayer to prohibit them from receiving or processing Form-VII is wholly untenable and not maintainable in law. Respondents are prepared to produce the Minutes of the Meeting in which they were duly elected

as office bearers, thereby establishing the complete legality and validity of their appointment.

The valid budget was already decided and successfully acted upon, hence there is no need for any extraordinary General Body Meeting. That there is no necessity to invoke or override Section 80 of the Civil Procedure Code in the present case, as there is no urgency in this matter. The 7th respondent deny the averment that Respondents 9 and 10 have been impleaded merely for "regulatory compliance. On the contrary, their presence is necessary. especially because the Plaintiff has sought a specific relief against them, namely, a direction restraining them from accepting Form-VII. Such a prayer directly concerns their statutory duties, and therefore their impleadment is both proper and legally required.

Numerous and serious allegations were raised against the then Secretary, the Petitioner/Plaintiff, by several members, and throughout the functioning of the Association, it was the Plaintiff who persistently opposed and obstructed all legitimate processes. The very foundation of the present suit arises from the Plaintiff's prolonged personal vengeance and animosity towards Respondents 4 to 6, who had lodged a complaint before the District Registrar, Chengalpattu, on 21.08.2023, detailing grave instances of maladministration committed by the Plaintiff. These undisputed facts clearly establish that the suit has been instituted with an ulterior motive, driven by personal hostility rather than any genuine grievance relating to the functioning of the Association.

Granting an injunction against the Respondents 4 to 6, 8 and 12 from functioning as office bearers and restraining them from operating bank accounts would abruptly affect the smooth functioning of the association, and it would be inappropriate to stop the legally valid office bearers from discharging their duties. That asking interim injunction restraining the Respondents 9 and 10, who are the government officials, from accepting form VII is not maintainable as nobody can

restrain the government officials from discharging their official duties. Their prayer to dispense with the statutory notice under section 80(2) of CPC should not be granted, as there is no urgency in this matter.

Petitioner/Plaintiff was the secretary when the AGM meeting was conducted on 10.08.2025, hence the minutes are available to her and the executive committee meeting held after that was already published promptly on a publicly accessible platform created by the new EC, ensuring maximum transparency and also attached with the counter. Petitioner/Plaintiff who has not submitted several association records, especially the documents related to the regular accounts and for which respondents have already sent the legal notice.

The FY 2025-2026 was already properly approved and acted upon successfully. So, there is no need for an Extraordinary General Body Meeting. Hence the respondents pray for dismissal of the application.

5. Counter of 7th respondent and adopted by 3, 5, 7, 8, 11 and 15 in brief:

The respondent denies the allegations set out in the affidavit. Respondents 2 to 8 and 11 to 15 are all Executive Committee members of the 1st Respondent Association and owners of their respective plots situated at Pearl Beach Layout, Paramankeni Village, Cheyyur Taluk, Chengalpattu District. After institution of the present suit, Respondents 2, 12, 13 and 14 have resigned from the Executive Committee and from their designation. The application filed by the petitioner has not stated the correct statements of facts, and for the sake of convenience, the correct statement of facts are as follows:

The 1st Respondent Association was formed in the year 2018, and the Respondents 4 to 6 have been actively involved in the affairs of the Association from its inception. The present suit, as well as the application for interim relief filed by the Petitioner, has its genesis in the Petitioner's prolonged personal enmity towards Respondents 4 to 6, which arose after they filed a formal complaint dated

21.08.2023 before the District Registrar, Chengalpattu, regarding serious irregularities in the administration of the Association. The important points in the said complaint are extracted below for the sake of convenience and understanding

a) Illegal appointment of the Petitioner as Secretary and another individual as President, in violation of the Byelaws and the Tamil Nadu Societies Registration Act, 1975.

b) Large-scale financial irregularities and non-compliance with statutory requirements and standard accounting practices.

Following the above complaint, a suit in O.S. No. 121 of 2025 was filed by the Respondent 4 to 6 against the petitioner and was later withdrawn on 14.08.2025 based on the resolution passed on the AGM. It is very pertinent to note that the Petitioner/Plaintiff has been acting as the Secretary of the 1st Respondent Association for the last two years ie., 2022-23 and 2023-24, and all the accounts of the Association were handled by her. Her post as the Secretary, since some of her decisions were questioned by the Respondent No. 4 to 6, she had gained personal vengeance and moved a motion to suspend the Respondent No. 4 to 6 in violation of the Bye-Laws.

She had acted against the Bye-Laws in suspending a member, the same was legally challenged by the Respondent Nos. 4 to 6 in the aforesaid suit. During her term, she had issued the notice for AGM and she was under the assumption that the members in the AGM would vote against Respondent Nos. 4 to 6 and take a decision in her favor. The moment the decision taken in the AGM was against her, with a sheer motive to take revenge against the Respondent Nos 4 to 6, she has filed this suit and the application as well, seeking various remedies before this Court.

The AGM dated 10.08.2025 was convened and conducted strictly in accordance with the Byelaws. It is pertinent to state that the Petitioner herself

acted as the Secretary (albeit illegally as per Byelaws) and, therefore, any alleged violation in AGM procedure would be attributable to her own actions. During the AGM, the Petitioner repeatedly displayed disorderly behavior, including showing disrespect to the Chairperson (7th Respondent) and abruptly leaving the meeting hall on several occasions, accompanied by a small group of members aligned with her. Her conduct created avoidable disruption. On such occasions, the Chairperson, owing to his seniority, reputation, and responsibility to ensure continuity of proceedings, presided over the deliberations solely to maintain order and facilitate completion of the meeting.

The 7th Respondent, as Chairperson of the AGM, permitted Respondents 4 to 6 (who were previously suspended by the Petitioner without any authority under the Byelaws) to participate in the meeting only after the General Body unanimously resolved to revoke the suspension. The members, after hearing the explanation of Respondent Nos. 4 to 6, who were earlier suspended, found that the suspension was baseless, illegal, and personally motivated. The Petitioner's hostile behavior towards long-standing members, many of whom have contributed substantial amounts far exceeding the standard annual subscription, created an unhealthy and humiliating environment during the AGM. The Chairperson intervened only to avoid escalation.

Respondents 3 and 12 mutually regularized their membership status in accordance with the Byelaws. It is noteworthy that the 12th Respondent had served on previous Executive Committees without any objection from the Petitioner. The General Body, after hearing them, unanimously revoked the suspension through a voice vote with a direction to the Respondent Nos. 4 to 6 to withdraw the civil suit in O.S. No. 121 of 2025, before this Court. The civil suit O.S. No. 121 of 2025 was withdrawn on 14.08.2025. Petitioner was intentionally absent during these deliberations, as she was not in agreement with the revocation of the suspension.

The non-completion of certain agenda items during the AGM occurred primarily due to the Petitioner's failure to prepare a proper agenda despite being the Secretary, and due to her omission of the crucial item relating to the Budget for FY 2025-26, despite earlier agreement amongst EC members that she would prepare and present the same, further because of her poor assessment of the time required to transact an unusually long list of items. Members expressed concern over the absence of the Budget item and advised the newly elected EC to prepare and circulate a draft budget. The new EC subsequently prepared a transparent, cost-effective budget, which has been overwhelmingly supported by over 90% of the members, who have already paid their subscription.

The selection and appointment of the present office-bearers was conducted strictly in accordance with procedure, in the presence of the General Body, and with its full mandate. The Minutes of the AGM and EC meetings have been published promptly on a publicly accessible platform created by the new EC, ensuring maximum transparency. Attached the copy of the minutes along with the counter.

Petitioner's assertion that the District Registrar (9th Defendant) and Inspector General of Registration (10th Defendant) upheld her appointment as Secretary is misleading. The order dated 04.03.2024 of the District Registrar was erroneous and issued without proper appreciation of the illegality of the amendments to the Byelaws. The Inspector General, by his order dated 27.02.2025, directed the District Registrar to re-examine the amendments in line with the powers given and to examine the amendments, whether they are in contravention of the Societies Registration Act.

Petitioner has exploited the erroneous March 2024 order to continue illegally as Secretary and commit serious administrative and financial violations. There are several documentary materials available to clearly establish the

extensive financial irregularities, violation of Byelaws, and misuse of office committed by her. The present suit is a direct consequence of her vindictive intention to target the Respondents for exposing her misconduct before the competent authorities.

The Association is functioning efficiently, its activities are fully transparent, and the members have expressed appreciation for the high-quality maintenance and developmental work undertaken by the current EC. Upholding the Petitioner's baseless plea would disrupt the functioning of a democratically elected Executive Committee and cause serious prejudice to the 140 members who have overwhelmingly supported it. Granting the relief sought by the Petitioner would effectively enable her re-entry into the Executive Committee, revive her unauthorized acts, and legitimize past violations of the Byelaws and the Act committed by her and her close associates. Such an outcome would be contrary to the collective will of the Association and detrimental to transparent administration.

Respondents affirm that the present Executive Committee is functioning strictly within the Byelaws and the Act, with complete financial transparency, adherence only to approved budgeted items, and regular disclosure of expenses to the members through the Executive Committee communication platform. It is incorrect and misconceived to allege that the duly elected members of the Executive Committee were "illegally elected office bearers." Annual General Meeting held on 10.08.2025 was convened and conducted strictly in accordance with the Byelaws of the Association. Petitioner/Plaintiff herself had issued notice to Respondents 4 to 6, calling upon them to attend the AGM and present their explanation with respect to the suspension order. During the deliberations on this issue, it was the Petitioner /Plaintiff alone who repeatedly objected to the revocation of the suspension, whereas the General Body, with complete unanimity,

voted in favor of revoking the said suspension after hearing the explanations offered by Respondents 4 to 6.

The 4th respondent deny the averments contained in Paragraph 4 of the application. At the outset, it is submitted that the so-called amendments to the Byelaws are themselves illegal and void, as they were purportedly brought into force arbitrarily, without properly placing them before the General Body, without any proper discussion, and without following the mandatory procedure prescribed under the Byelaws and the Act. The Minutes of the relevant meeting clearly demonstrate that no such amendments were ever tabled, deliberated, or validly passed, thereby rendering the Plaintiff's claim wholly untenable.

The suspended members (Respondents 4 to 6) were formally invited by the Plaintiff herself to attend the AGM and present their defence against their suspension. During the AGM, the General Body, by a unanimous majority, resolved to revoke the suspension, subject to the conditions that (i) the civil suit filed against the Association would be withdrawn, and (ii) the pending dues, if any, would be cleared. Respondents 4 to 6 accepted these conditions immediately and paid the dues on the same evening, and the suit was withdrawn on the very next hearing on 14.08.2025,

Upon revocation of the suspension by the General Body, Respondents 4 to 6 automatically regained their full membership status and were thereby legally entitled to participate in the AGM and exercise all rights attached to their membership. The suspension of Respondents 4 to 6 was revoked only after the General Body unanimously resolved to do so. The Minutes of the AGM and EC meetings have been published promptly on a publicly accessible platform created by the new EC, ensuring maximum transparency. The valid budget was already decided and successfully acted upon without any issues. From the explanations furnished herein above, it is evident that the members of the Executive Committee

were validly and duly elected, and there is no illegality in their appointment. Plaintiff is not seeking the maintenance of the status quo but is, in effect, praying for an order restraining the duly elected Executive Committee from discharging their legitimate functions. That granting such a relief would be wholly unjust, unreasonable, and detrimental to the effective governance and day-to-day administration of the Association, and would cause irreparable harm to its functioning.

Mere assertion by the Petitioner/Plaintiff that the members were "illegally elected" does not render the validly conducted elections unlawful. Democratic functioning of the Association is proceeding smoothly under the duly elected Executive Committee. It is only the Petitioner/Plaintiff who, by raising unfounded allegations and seeking unwarranted interim reliefs, is attempting to obstruct the legitimate functioning of the office bearers and disrupt the governance of the Association. The Respondents 4 to 6, 8 and 12 were duly and legally elected through a proper electoral process, and hence cannot be restrained from performing their functions. Plaintiff cannot seek to restrain government authorities, namely the Respondents 9 and 10, from discharging their statutory duties. Consequently, the prayer to prohibit them from receiving or processing Form-VII is wholly untenable and not maintainable in law. Respondents are prepared to produce the Minutes of the Meeting in which they were duly elected as office bearers, thereby establishing the complete legality and validity of their appointment.

The valid budget was already decided and successfully acted upon, hence there is no need for any extraordinary General Body Meeting. That there is no necessity to invoke or override Section 80 of the Civil Procedure Code in the present case, as there is no urgency in this matter. The 7th respondent deny the averment that Respondents 9 and 10 have been impleaded merely for "regulatory

compliance. On the contrary, their presence is necessary. especially because the Plaintiff has sought a specific relief against them, namely, a direction restraining them from accepting Form-VII. Such a prayer directly concerns their statutory duties, and therefore their impleadment is both proper and legally required.

Numerous and serious allegations were raised against the then Secretary, the Petitioner/Plaintiff, by several members, and throughout the functioning of the Association, it was the Plaintiff who persistently opposed and obstructed all legitimate processes. The very foundation of the present suit arises from the Plaintiff's prolonged personal vengeance and animosity towards Respondents 4 to 6, who had lodged a complaint before the District Registrar, Chengalpattu, on 21.08.2023, detailing grave instances of maladministration committed by the Plaintiff. These undisputed facts clearly establish that the suit has been instituted with an ulterior motive, driven by personal hostility rather than any genuine grievance relating to the functioning of the Association.

Granting an injunction against the Respondents 4 to 6, 8 and 12 from functioning as office bearers and restraining them from operating bank accounts would abruptly affect the smooth functioning of the association, and it would be inappropriate to stop the legally valid office bearers from discharging their duties. That asking interim injunction restraining the Respondents 9 and 10, who are the government officials, from accepting form VII is not maintainable as nobody can restrain the government officials from discharging their official duties. Their prayer to dispense with the statutory notice under section 80(2) of CPC should not be granted, as there is no urgency in this matter.

Petitioner/Plaintiff was the secretary when the AGM meeting was conducted on 10.08.2025, hence the minutes are available to her and the executive committee meeting held after that was already published promptly on a publicly accessible platform created by the new EC, ensuring maximum transparency and also

attached with the counter. Petitioner/Plaintiff who has not submitted several association records, especially the documents related to the regular accounts and for which respondents have already sent the legal notice.

The FY 2025-2026 was already properly approved and acted upon successfully. So, there is no need for an Extraordinary General Body Meeting. Hence the respondents pray for dismissal of the application.

6. Though the respondents 1, 2, 11 to 14 entered appearance through their counsel, they are failed to appear before this court and hence they were called absent and set exparte and though the respondents 9 and 10 entered appearance through their counsel, they are failed failed to file a counter and hence they were called absent and set exparte.

7. No oral or documentary evidence adduced by both sides.

8. Heard both sides. Perused the records carefully.

9. Point:

“Whether this application can be allowed or not?”

The relief sought in the present application is an interim injunction under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure restraining Respondents 4 to 6, 8 and 12 from functioning as office bearers or exercising powers as Executive Committee members of the 1st Respondent Association pending disposal of the suit.

At this interlocutory stage, this Court is required to examine whether the Petitioner has established (i) a prima facie case, (ii) balance of convenience, and (iii) likelihood of irreparable injury.

From the pleadings and documents, it is not in serious dispute that the Petitioner was functioning as the Secretary of the 1st Respondent Association during the relevant period and that the Annual General Meeting dated 10.08.2025 was convened while she was in office. The dispute essentially centres around the

legality of the AGM proceedings, the revocation of suspension of Respondents 4 to 6, and the subsequent election/selection of Respondents 3, 4 to 6, 8 and 12 as Executive Committee members and office bearers.

The Petitioner has specifically contended that Respondents 4 to 6 were under suspension as on the date of the AGM and that Respondents 3, 8 and 12 were not valid members as per the amended bylaws, and therefore, their participation and election are void ab initio. In support of her contention, specific reliance is placed upon Ex P1 (Bye Laws), Ex.P7 (Show Cause Notice and Interim Suspension dated 04.06.2024), Ex.P9 (communication regarding suspension status), Ex.P13 (Amended Bylaws), Ex P15 (Plaint in O.S 121/2025), Ex P23 (Compilation of Fact Finding Committee), Ex.P24 (AGM Notice with agenda) and Ex.P27 (withdrawal of O.S. No. 121 of 2025). She has further relied upon Ex.P4 and Ex.P11 to demonstrate that the competent registration authorities had earlier upheld her position as Secretary and accepted the amended bylaws.

On the other hand, the Respondents have taken a categorical stand that the suspension of Respondents 4 to 6 was itself illegal and personally motivated, and that the General Body, by unanimous voice vote during the AGM, revoked the suspension subject to withdrawal of the civil suit and clearance of dues, which conditions were admittedly complied with on or before 14.08.2025. The counter further asserts that Respondents 3 and 12 had regularised their membership and that the AGM and subsequent elections were conducted strictly in accordance with the bylaws. Copies of minutes have been produced as Ex.R1 and Ex.R2 to support the said stand.

At this stage, this Court is not expected to conduct a roving enquiry into disputed questions of fact or finally adjudicate upon the validity of the suspension, amendments to bylaws, or the elections held. But as per document nos 15 and 27, it would clearly demonstrate that the respondents 4 to 6 were suspended members

and that they have no right to participate in selection of officer bearers. The learned counsel for the respondents invited this court to Ex P9, where the petitioner herself called the respondents 4 to 6 to attend the AGM and participate. But on keen perusal of Ex P9, it was only limited rights given to them to participate in the said AGM and it was specifically stated that they are not permitted to vote in respect of the agenda of their suspension and disciplinary proceedings. So, Ex P9 would not help the respondents to substantiate their defence.

Next the learned counsel for the petitioner invited this court to the bye laws which is marked as Ex P1. As per section 2(i) of the said bye laws a defaulting member who didn't clear the dues to the association for three months shall not entitled to any of the rights and privileges enjoyed by the other members or to the services and facilities offered by the association, and shall forfeit all voting rights whatsoever till all dues are cleared. Now the learned counsel invited this court to Ex R2, the executive committee meeting minutes dated 15.08.2025 to the last page, where the suspended members namely the respondents 4 to 6 didn't pay their subscription for the past one year and the same was condoned in the general body meeting. But before the said agenda in para 8 of the said Ex R2, the said meetings elected the respondents 4 and 5 as Executive Members. It would show the clear violation of bye laws in the AGM conducted. It is unable to fathom upon how the said suspended members are allowed to participate in voting process, that too when the dues are not cleared and the said suit in O.S 121/2025 is pending before the court on the date of their selection. On this score itself the prima facie case established that there is violation of bye laws of the association.

Next the learned counsel invited this court to Ex P23, the compilation of the fact finding committee, which is formed to get facts from the suspended members

viz the respondents 4 to 6. It is pertinent to note that the petitioner is not a member of the said committee. But in the said compilation, it was clearly held that,

“The FFC has attached the reply from the 3 suspended members namely Mr.Magesh Kumar, Mrs. Usha Rani, Mr. Gopala Krishnan and the other two Mrs.Suma Suresh and Mr.Kaushik for the members to analyse and decide on the further course of action and conclusion in the forthcoming 6th AGM of PBPOWA”.

So, as per the said Ex P23 the discussions about the suspended members shall be discussed in the forthcoming meetings based upon the report submitted by Fact Finding Committee. But this Ex P23 does not find place in the 6th AGM held on 10.08.2025. The said Fact Finding Committee was formed only in the Executive Committee meetings which is held on 12.04.2025 particularly for the illegality committed by the respondents 4 to 6 in the association. Brushing aside the said report of the committee, Ex P23, the AGM on 10.08.2025 was held, which is clear violation of the laws of the 1st respondent association. Non discussing the said report, Ex P23 as held therein would clearly shows the high handed act of the suspended members namely the respondents 4 to 6.

However, the the materials placed on record prima facie disclose that there exists a serious and bona fide dispute as to whether Respondents 4 to 6 were legally entitled to participate in the AGM and contest the election on 10.08.2025, and whether Respondents 3, 8 and 12 satisfied the eligibility criteria under the amended bylaws as on the relevant date. The fact that the suspension was revoked and the civil suit withdrawn only on 14.08.2025, subsequent to the AGM, lends prima facie support to the Petitioner’s contention that the participation and election of the said respondents on 10.08.2025 require closer scrutiny. So, the petitioner has made out prima facie case as such the questioning the validity of

election of members in the association. Further more the non members namely respondents 3, 8 and 12 didn't defend this application effectively and they are sailing with respondents 4 to 6. This would clearly shows that they are nothing but puppet in the hands of the respondents 4 to 6. It is further admitted by contesting respondents that the 12 respondent resigned his post. So, there is no doubt that the Executive committee meeting held on 10.08.2025 is clear abuse of process of bye laws of the 1st respondent association.

As regards balance of convenience, the Petitioner has established that continuation of the disputed Executive Committee may lead to filing of statutory returns, operation of bank accounts, and taking of financial and administrative decisions, which may later be rendered questionable if the Petitioner ultimately succeeds in the suit. On the contrary, restraining Respondents 4 to 6, 8 and 12 from functioning as office bearers on an interim basis would only preserve the status quo and would not finally decide their rights. The Association, being a juristic body, can be suitably safeguarded by appropriate interim arrangements until the issues are conclusively decided.

On the aspect of irreparable injury, this Court finds force in the contention of the Petitioner that governance-related injury, erosion of democratic functioning of an association, and possible misuse or unauthorised handling of association funds cannot be adequately compensated in monetary terms. But the learned counsel for the respondents argued that the petitioner seeks the main relief as interim relief which cannot be granted. If the petitioner wants to wait till decision of final orders in the suit, then it will take long time. Then it will not serve any purpose if the said relief granted at the disposal of the suit. So, the relief of temporary injunction is well maintainable.

Having regard to the totality of circumstances, the documents produced, and the settled principles governing grant of interim injunction, this Court is satisfied that the Petitioner has made out a prima facie case, that the balance of convenience lies in her favour, and that irreparable injury would ensue if interim relief is refused. Accordingly, pending disposal of the suit, an order of interim injunction is granted restraining Respondents 4 to 6, 8 and 12 from functioning as office bearers or exercising any powers as Executive Committee members of the 1st Respondent Association. This arrangement is purely temporary in nature and shall not be construed as an expression on the merits of the case, which shall be decided independently on the basis of evidence at the time of trial. Hence this point is decided accordingly.

10. Result:

In fine this application is allowed with cost by granting an order of interim injunction restraining the Respondents 4 to 6, 8 & 12 from functioning as office bearers or exercising any powers as Executive Committee members of the 1st Respondent Association pending final disposal of the suit.

Dictated by me to the Steno-Typist, typed by him in the computer directly, corrected and pronounced by me in the open court, this the 13th day of March, 2026.

Subordinate Judge,
Madurantakam

I. Petitioner side evidence: Nil

II. Petitioner side Exhibits :

Ex.P1	08.11.2018	Copy of Certificate of Registration of the Association.	Xerox Copy.
Ex.P2	05.10.2023	Copy of Complaint filed before TNRERA.	Xerox Copy.
Ex.P3	15.12.2023	Copy of Counter filed by Promotor in	Xerox Copy.

		TNRERA.	
Ex.P4	04.03.2024	Copy of Order by 10 th Defendant.	Xerox Copy.
Ex.P5	14.05.2024	Copy of Order by 9 th Defendant rejecting appeal.	Xerox Copy.
Ex.P6	01.06.2024	Copy of Minutes of 7 th Executive Committee Meeting.	Xerox Copy.
Ex.P7	04.06.2024	Copy of Show Cause Notice and Interim Suspension.	Xerox Copy.
Ex.P8	10.06.2024	Copy of Joint Reply from suspended members.	Xerox Copy.
Ex.P9	14.06.2024	Copy of Letter regarding suspension status fro AGM.	Xerox Copy.
Ex.P10	10.07.2024	Copy of High Court Order in W.P No. 13964/2024.	Xerox Copy.
Ex.P11	27.01.2025	Copy of Order by 9 th Defendant.	Xerox Copy.
Ex.P12	--	Copy of Email correspondence regarding Plot No. 20 ownership (04.02.2025 to 06.02.2025)	Xerox Copy.
Ex.P13	19.02.2025	Copy of Amended Bylaws.	Xerox Copy.
Ex.P14	12.04.2025	Minutes of 8 th Executive Committee Meetings.	Xerox Copy.
Ex.P15	26.04.2025	Copy of Complaint in O.S No. 121/2025.	Xerox Copy.
Ex.P16	20.06.2025	Copy of Response to Fact Finding Committee by Kaushik.	Xerox Copy.
Ex.P17	21.06.2025	Copy of Email response by Magesh Kumar to Committee.	Xerox Copy.
Ex.P18	23.06.2025	Copy of Secretary's response to Fact Finding Committee.	Xerox Copy.
Ex.P19	24.06.2025	Copy of Email response by Gopalan Krishnaswamy.	Xerox Copy.

Ex.P20	24.06.2025	Copy of Additional email response by Gopalan.	Xerox Copy.
Ex.P21	29.06.2025	Copy of Minutes of 9 th Executive Committee Meeting.	Xerox Copy.
Ex.P22	10.07.2025	Copy of Letter to 10 th defendant for observer nomination.	Xerox Copy.
Ex.P23	11.07.2025	Copy of Compilation Report of Fact Finding Committee.	Xerox Copy.
Ex.P24	12.07.2025	Copy of AGM Notice for 10.08.2025 with agenda.	Xerox Copy.
Ex.P25	14.07.2025	Copy of Letter to suspended members about AGM participation.	Xerox Copy.
Ex.P26	22.07.2025	Copy of Emails regarding maintenance dues to defaulters.	Xerox Copy.
Ex.P27	14.08.2025	Copy of E-court proceedings in O.S No. 121/2025.	Xerox Copy.
Ex.P28	--	Copy of Email requesting AGM minutes publication (17.08.2025 – 20.08.2025)	Xerox Copy.
Ex.P29	20.08.2025	Copy of Email from Usharani claiming Secretary position.	Xerox Copy.
Ex.P30	08.11.2018	Register of Members in Pearl Beach Plot Owners Welfare Association.	Xerox Copy.
Ex.P31	26.08.2025	Copy of Email Communications between Plaintiff and 2 nd defendant.	Xerox Copy.

III. Respondent side Evidence : Nil

IV. Respondent side Exhibits :

Ex.R1	15.11.2025	Copy of Pearl Beach Plot Owners Welfare Association EC Meeting Minutes (2025 - 2026)	Xerox Copy.
-------	------------	--	-------------

Ex.R2	15.11.2025	Copy of Minutes of the PBPOWA First Executive Committee Meeting (2025 – 2026)	Xerox Copy.
-------	------------	---	-------------

Subordinate Judge,
Madurantakam

FAIR/DRAFT ORDER
I.A No. 4/2025

**in
O.S No. 173/2025
D.D: 13.03.2026
SUB COURT,
MADURANTAKAM**