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A NO. 2252 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-08-2025

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THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

A.No.2252 of 2025

in C.S.No.59 of 2023

Dr.K.S.Vasan

S/o.S.Krishnamurthy, 15, Greenlaw Street, Sugar
Land, Texas, 77479, USA.

Applicant(s)

Vs

Dr.Girish Shiva Rao and 11 others

Flat No.4C, Fourth Floor, Souram Royal Enclave,
Fifth Street, Gopalapuram, Chennai 600 086. and
11 Others

Respondent(s)

For Applicant(s):

Mr.A.K.Sriram (Senior Counsel)
For Mr.C.Vigneswaran

For Respondent(s):

Mr.P.Giridharan
(For RR1 to R11)

Mr.T.Arun Kumar
Additional Government Pleader
(For R12)

ORDER

The present application has been filed to direct the Defendants to
produce the original documents specified mentioned in the list of documents
in Judge's Summons.



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2. When the application was taken up for hearing today, this Court had found that the earlier elected body, which had been questioned in the suit, was elected as on 15.09.2022 and the period of office would come to an end on 14.09.2025. Hence, the Court queried the learned counsels appearing on the either side as to whether the suit had not become infructuous.

3. Mr.A.K.Sriram, learned Senior Counsel appearing for the applicant/plaintiff would submit that it is not only an election that had been in question, but also the list of members upon which such election had been conducted. Therefore, he would submit that the suit would not become infructuous in its entirety and certain of the issues, which has been framed on prayer (g) and (h) of the suit would still survive.

4. The learned counsel appearing for the defendants would submit that the Annual General Meeting had been called for on 30.08.2025, wherein the election is also proposed to be conducted.

5. A dispute had been raised over the membership of the Society by the plaintiffs, which has been effectively defended by the defendants. The 12th defendant / The District Registrar, Registrar of Societies, Central, Chennai,



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has been vested with statutory power to enquire into the affairs of the Society. Since the election has also been announced in the Annual General Meeting to be conducted on 30.08.2025, wherein elections are also to be held on the very same disputed list, this Court is of the view that the 12th defendant / District Registrar, Central, Chennai, can be directed to enquire into the elections in dispute by calling upon the plaintiff and the 11th respondent Society for an enquiry and pass appropriate orders after hearing them. If such a finding is given by the 12th defendant, it will also resolve the dispute that may arise regarding the elected representatives in the Annual General Meeting to be conducted on 30.08.2025 and the suit itself can be disposed of based upon the said findings.

6. For the aforesaid reasons, the following directions are issued:

a) The District Registrar of Societies, Central, Chennai, shall conduct an enquiry with regard to the membership issue raised by the plaintiff by hearing the plaintiff and the 11th defendant namely, the Society concerned.

b) The plaintiff shall submit a representation, enlisting his allegations on the issue of membership alone to the 12th defendant by 22.08.2025, marking a copy to the 11th



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respondent/defendant.

c) The 11th defendant shall submit its reply to the District Registrar, Central, Chennai, by 26.08.2025, marking a copy to the plaintiff.

d) The plaintiff and the 11th respondent are directed to appear before the District Registrar on 28.08.2025 and the District Registrar, Central, Chennai, shall complete the enquiry by 29.08.2025 and pass orders on or before 04.09.2025.

e) The District Registrar shall place the said order before this Court for hearing on 08.09.2025.

7. List the matter on 08.09.2025.

20-08-2025

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To

1. Dr.Girish Shiva Rao and 11 others
Flat No.4C, Fourth Floor, Souram Royal Enclave, Fifth
Street, Gopalapuram, Chennai 600 086.

2. Mr.G.Ramachandran
C/o.M/s.Saraswathi Stores, New No.25, Old No.14, East Road, West CIT
Nagar, Chennai 600 035.

3. Mr.N.Sugal Chand Jain
11, Ponnappa Lane, Triplican, Chennai 600 085.



4. Mr.Raju Barwala
19, Raj Mahal No.84, Veer Nariman Road, Mumbai 17.

5. Ms.Usha Zehr Barwale
19, Raj Mahal No.84, Veer Nariman Road, Mumbai 17.

6. Mr.Jagadish Chanrai
R/a, 112A Mittal Towers Nariman Point, Mumbai 400 021.

7. Ms.Prabha Seethapathy
CEO of Petrostar Corporation LLC, Situated at P.O.Box 1953, P.C.112,
Ruwi, Oman.

8. Mr.T.S.Surendran
R/a, No.18, Jagadambal Street, T.Nagar, Chennai 600 017.

9. Mr.Kannan Narayanan
R/a Flat 5, Vasundhara, 16, Hindi Prachar Sabha, T.Nagar, Chennai 600 017.

10. Mr.Ashok Kumar Mehta
Jains Car Shoppee, No.18, Usman Road, T.Nagar, Chennai 17.

11. Medical Research Foundation
Repd. by its Secretary, Old No.18, New No.41, College Road, Chennai 600
006.

12. Registrar of Societies
District Registrar Central, 268, Bharathi Salai, Express Estate, Royapettah,
Chennai 600 014.



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K.KUMARESH BABU, J.

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