



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-04-2026

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

**CRP No. 2673 of 2026
and CMP.No.11279 of 2026**

Sumalatha
W/o. Mr.Ashok Kumar,
F2, Naveen Towers, 12/13 Sannadhi Street,
Chidambaram Nagar, Ramapuram,
Chennai-600 089.

..Petitioner(s)

Vs

1. Bharathidasan Colony 642 Flat Owners Welfare Association,
Secretary, Bharathidasan Colony 642 Flat Owners Welfare Association,
Mr.C.Meenakshi Sundaram,
No.11, 5th Main Road,
Bharathidasan Colony,
K.K.Nagar, Chennai-600 078.
2. Behin Sam,
President,
Bharathidasan Colony 642 Flat Owners Welfare Association,
No.11, 5th Main Road,
Bharathidasan Colony,
K.K.Nagar,
Chennai -600 078.
3. C.Meenakshi Sundaram,
Secretary,
Bharathidasan Colony 642 Flat Owners Welfare Association,
No.11, 5th Main Road,
Bharathidasan Colony,
K.K.Nagar, Chennai -600 078.

..Respondent(s)

**PRAYER**

Civil Revision Petition filed under Article 227 of Constitution of India, praying to strike out IA No.3 of 2025 in IA No.2 of 2025 in OS No.4863 of 2025 on the file of the XVII Assistant City Civil Court, Chennai.

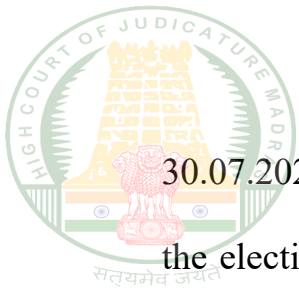
For Petitioner(s): MR.D.FERDINAND FOR
BFS Legal

ORDER

Challenging the impugned order passed by the learned XVII Assistant Judge, City Civil Court, Chennai, in I.A. No.3 of 2025 in I.A. No.2 of 2025 in O.S. No.4863 of 2025, the plaintiff has come forward with the present revision.

2. The learned counsel for the revision petitioner submitted that, while granting interim injunction in I.A. No.2 of 2025, the Trial Judge had withheld the implementation of the decisions relating to Agenda Nos.6 to 8 contained in the notice dated 30.07.2025, and granted injunction only with regard to the Extraordinary General Meeting. The Trial Court, while granting limited interim injunction, had observed as follows:

“In the result, this petition is partly allowed and interim injunction is granted only with regard to giving effect to the Extraordinary General Meeting by declaring the election results and the further process of signing of Memorandum of Understanding/Joint Venture with the developer. It is made clear that the Extraordinary General Meeting can be conducted on 24.08.2025 as scheduled with regard to Agenda Nos.1 to 5, 9 and 10 in the notice dated



30.07.2025. Further, it is ordered that the external neutral observer shall conduct the election process in the manner known to law by following due process and the declaration of election results and the decision-making process as found in Agenda Nos.6 to 8 of the notice dated 30.07.2025 alone shall be withheld until further orders of this Court. No costs.”

3. Thereafter, the defendants came forward with I.A. No.3 of 2025 seeking permission to enable the neutral election observer, who conducted the elections on 24.08.2025, to count the votes polled and declare the results. According to the revision petitioner, the said application is contrary to the findings already rendered by the Trial Judge while granting the interim injunction in I.A. No.2 of 2025. Therefore, the said application itself is not maintainable. However, the Trial Court has taken the application on file and is inclined to proceed further. Aggrieved by the same, the plaintiff has preferred the present revision.

4. Considering the earlier order passed by the Trial Court, this Court is of the view that the grievance raised by the revision petitioner is prima facie justifiable.

5. Accordingly, the revision is admitted.

6. Notice to the respondents, returnable by 06.07.2026.

7. Post the matter on 06.07.2026.



T.V.THAMILSELVI, J.

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8. In the meanwhile, the impugned proceedings shall remain stayed till
then.

28-04-2026

MPA

To

The XVII Assistant City Civil Court, Chennai.

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