



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-11-2025

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

**WP No. 44692 of 2025
and
WMP.No. 49868 of 2025**

James Preven

Petitioner(s)

Vs

1. Indian Bank Officers' Association
(Tamilnadu & Pondy), No.3,
Sripuram 2nd Lane, Royapettah,
Chennai-600 014.

2.Raj Narayan Sahoo,
Chief Manager, Indian Bank Service Branch,
No.55, Ethiraj Salai, 3rd Floor,
Wellington Estate, Egmore,
Chennai-600 008
(Returning Officer, Indian Bank Officers'
Association (Tamilnadu & Pondy),
No.3, Sripuram 2nd Land, Royapettah,
Chennai-600 014.

3.Additional Registrar of Trade Unions,
Office of the Joint Commissioner of Labour-I,
Labour Department, D.M.S Complex,
Teynampet, Chennai-600 006.

Respondent(s)

PRAYER- Writ Petition filed under Article 226 of the Constitution of India,
seeking issuance of writ of certiorarified mandamus, calling for the records of
the 2nd respondent relating to the Circular No.2, dated 25.06.2025 issued by the



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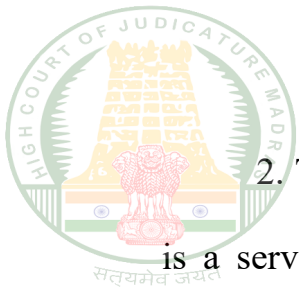
2nd respondent-Returning Officer inviting the nominations for contesting the elections to elect the office-bearers of the 1st respondent Association originally scheduled from 06.08.2025 to 20.08.2025 and actually conducted from 06.08.2025 to 21.08.2025 and for opening of ballots on 23.08.2025 and quash the same and all the consequential proceedings or actions thereto as illegal and arbitrary and consequently appoint a Receiver to Conduct the said election afresh observing the bye-laws of the 1st respondent Association and the mandatory procedures, under the supervision of the 3rd respondent within a time frame work.

For Petitioner(s): Mr.G.S.Vivekanandan

For Respondent(s): Ms.P.Aishwarya
Government Advocate for R3

ORDER

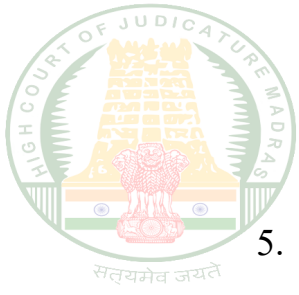
This Writ Petition has been filed challenging the election conducted by the 1st respondent and consequently for a direction to appoint a Receiver to Conduct the said election afresh observing the bye-laws of the 1st respondent Association and the mandatory procedures, under the supervision of the 3rd respondent within a time frame work.



2. The learned counsel for the petitioner would submit that the petitioner is a serving Officer of the Indian bank and a member of the 1st respondent Association. The 1st respondent is an Association of the Officers of Indian Bank registered under the Trade Unions Act, 1926 in the 3rd respondent / Joint Commissioner of Labour. He would further submit that the 2nd respondent issued a circular dated 25.06.2025 inviting nomination for conducting elections to elect Office-Bearers of the 1st respondent-Association and without scrutinising the members and ballot papers, they conducted an improper election. Challenging the election conducted by the 1st respondent for selection of Office Bearers, the present writ petition is filed with the above said prayer.

3. However, the learned Government Advocate appearing for the respondents would submit that the petitioner filed a civil suit for declaring the election as null and void.

4. Considering the facts and circumstance of the case, it is seen that the issue involved in this writ petition is with regard to the election conducted and the same cannot be challenged under Article 226 and, the election can be challenged only before the competent Civil Court by way of declaring the election as null and void and hence, filing the present petition is unacceptable one.



5. Hence, the prayer sought for in this writ petition cannot be granted accordingly, this Writ Petition is dismissed with liberty to the petitioner to approach the competent Civil Court for appropriate remedy. No costs. Consequently, connected miscellaneous petition is closed.

26-11-2025

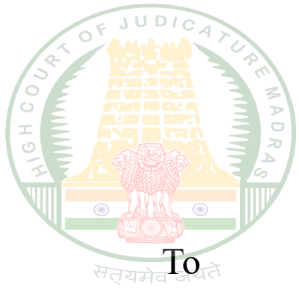
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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



To

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WEB COPY

WP No. 44692 of 2



M.DHANDAPANI J.

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WP No. 44692 of 2025

26-11-2025