



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06-04-2026

WEB COPY

CORAM

THE HONOURABLE MR JUSTICE K.MURALI SHANKAR

CMA(MD) Nos.287 and 288 of 2026

Dr.Ebanesh Bensam

: Appellant
(in both appeals)

Vs

1. Rotary Club of Tamiraparani,
Tirunelveli (Club No.55323 Charter, dated 04.04.2001)
through its President,
Door No.101, Hotel Balabagy Complex,
Trivandrum Road, Palayamkottai,
Tirunelveli Distrit.

2. Election Committee,
To conduct the 2024-25 Election to the District
Governor of RID 3212 For the year 2027-2028 As
per Rotary International District 3212 By law
Representing the Commitee District Governor
2024-2025 Meerankhan Saleem, Door No. 32,
Parvathavarthini Street, R.V.Puram, Nagercoil,
Now residing at Sheejas Door No.26B, Mather
Sangam Road, Sargunaveethi, Ramanputhoor,
Nagercoil -629 004.

3. J. Navamani
District counsellor as well as Election Committee
To conduct the 2024-25 Election to the District
Governor of RID 3212 For the Year 2027-2028
As per Rotary International District 3212 By law,
Kings Schools, Pudur, Valliyoor, 627117,
Tirunelveli District.



4.Election Committee

To conduct the 2025-2026 Election to the District Governor of RID 3212 For the Year 2028-2029 As per Rotary International District 3212 By law Representing the Committee District Governor 2025-2026 J.Dinesh Babu D.Cinemas, Door No. 41, Devipattinam Road, Ramanathapuram -623 501.

: Respondents
(in both appeals)

(in both appeals)

For Petitioner : Mr.J.Barathan,

For Respondents : Mr.R.Vinoth, for R2 to R4.

These Civil Miscellaneous Appeals filed under Order 43 Rule 1 (r) of C.P.C., against the fair and executable order, dated 21.01.2026 passed in I.A.No.3 of 2025 and I.A.No.4 of 2025 respectively in O.S.No.310 of 2025 on the file of the I Additional District Court, Tirunelveli.

COMMON ORDER

These appeals have been filed challenging the fair and executable order, dated 21.01.2026 passed in I.A.No.3 of 2025 and I.A.No.4 of 2025 respectively in O.S.No.310 of 2025 on the file of the I Additional District Court, Tirunelveli.

2. Heard both sides and also perused the records.

3. The learned counsel appearing for the respondents would submit that they have filed a memo before the trial Court stating that the matter was settled between the parties and hence, sought permission of the trial Court to withdraw the suit.



4. But the learned counsel appearing for the appellant would submit that there is no such settlement entered into between the parties and he is disputing the same and that he is ready to argue the main appeal itself. He would further submit that the trial Court lacks territorial jurisdiction and that the respondent has purposely filed the suit before the I Additional District Court, Tirunelveli and obtained interim order.

5. At this juncture, the learned counsel for the respondent would submit that he is ready to produce the parties before this Court.

6. Post the matter on 10.04.2026.

7. The learned trial Judge is directed not to record the memo seeking withdrawal of the suit, till then.

das

06.04.2026

To

I Additional District Court, Tirunelveli.