

IN THE COURT OF THE HON'BLE IST ADDITIONAL CHIEF JUDGE,
CITY CIVIL COURT
AT SECUNDERABAD
S.O.P. NO. OF 2023

BETWEEN:

1. Sri. Ravi Kumar Reddy, S/o Chandrashekhar Reddy,
Aged 61 years, Occ: Architect,
R/o. 6-3-712/98/C/9/3, Punjagutta Colony,
Hyderabad- 82

2. Sri. K. Muralidhar Reddy, S/o. K. Narasimha Reddy,
Aged 48 years, Occ: Architect,
R/o. 8-2-283/A/3/302, East Wind Apartments,
Road No. 3, Banjara Hills, Hyderabad-34

3. Sri. M. Ramesh Kumar, S/o. M. Venkat Ramaiah,
Aged 46 years, Occ: Architect,
R/o. Plot No. 81, Vasavi Nagar,
Old Alwal, Secunderabad-10

4. Sri. Jalda Bala Subramanyam, S/o. J. Pandu,
Aged 53 years, Occ; Architect,
R/o. 1-7-572, Zamistanpur, Musheerabad, Hyderabad-20

5. Sri. Praveen Kumar Kangedkar, S/o. K. R. Eshwar,
Aged 52 years, Occ: Architect,
R/o. 46, Srinagar Colony, Trimulgherry,
Secunderabad-15

...Petitioners

AND

1. M/s. Indian Institute of Architects, Telangana Chapter,
Rep. by it's Secretary,
Having it's Office at 5-4-86 to 92, Al Karim Trade Center,
Flat No. 802/C, M.G. Road, Ranigunj Secunderabad

2. M/s. Indian Institute of Architects
Rep. by it's Secretary,
having it's Office at Vth Floor, Prospect Chamber, Annex, Dr. D.N. Road,
Fort Mumbai- 400001

3. Mr. V.V.L. Narasimham, S/o. not known to the Petitioner
Aged 61 years, Occ: Architect,
R/o. Plot No. 22, Lepakshi Colony, West Marredpally,
Secunderabad-26
4. Mr. Ram Mohan Vysyaraju, S/o. Not known to the Petitioner,
Aged Major, Occ: Architect,
R/o. 1-1-31/260, Phase I, Saket,
Kapra, Hyderabad-16
5. Mr. Ashok Raj T., S/o. Not known to the Petitioner,
Aged 56 years, Occ: Architect,
R/o. 35-41/1, GK Colony, Sainikpuri,
Secunderabad
6. Mrs. Jyothirmayi Mitta, W/o. Lalit Mitta,
Aged 52 years, Occ: Architect,
R/o. C-125, AWHO Ved Vihar,
near Teacher's Colony, Trimulgherry, Secunderabad
7. Mr. Yenduri Suresh Babu, S/o. Not known to the Petitioner,
Aged 57 years, Occ: Architect,
R/o. 1-58/91/S/1, Suresh Square, Madinaguda,
Hyderabad- 49
8. Mr. AA. Sharma, S/o. Not known to the Petitioners
Aged: about 50 years, Occ: Architect
R/o. H. NO. 6-3-1093/A/406, Flat NO. 406, V.V. Vintage Residency
Apartments, Somajiguda, Raj Bhavan Road, Hyderabad-82
9. Mrs. Shweta B. W/o. Not known to the Petitioners
Aged: about 45 years, Occ: Architect,
R/o. H. NO. 33-116/1, Officer's Colony,
RK Puram, Trimulgherry, Hyderabad-56
10. Mr. Bangaru Vijay Mohan S/o. Not known to the Petitioners
Aged: about 40 years, Occ: Architect
R/o. Flat NO. 201, H. NO. 12-5-38/1, Aashray Apartments, Aradhana Block,
Vijaypuri, Tarnaka, Secunderabad- 44
11. Mr. Ashok Bhairi S/o. Not known to the Petitioners
Aged: about 45 years, Occ: Architect
R/o. 201, Shubham Royal Apartment,
Friend's Colony, Hyderabad-79

12. Mr. Mukhteshwar Erakulla S/o. Not known to the Petitioners
Aged: about 42 years, Occ: Architect
R/o. 202, Lake View Residency, Annapurna Enclave,
Chanda Nagar, Hyderabad-50

13 Mr. Sandeep Naidu Gatti S/o. Not known to the Petitioners
Aged: about 37 years, Occ: Architect
R/o. 1331, Road NO. 60,
Jubilee Hills, Hyderabad-33

14. Mr. J.M. Balachandran S/o. Not known to the Petitioners
Aged: about 50 years, Occ: Architect
R/o. Plot NO. 68, Road No. 3, Jupiter Colony,
Sikh Road, Secunderabad-09

15. Mr. Chandi Prasanna K. S/o. Not known to the Petitioners
Aged: about 42 years, Occ: Architect
R/o. Flat No. 102, Plot NO. 10-2-421/422, Akshay Avenue,
Near City Civil court, West Marredpally, Secunderabad-26

16. Mr. Raghu Ramacharya S. S/o. Not known to the Petitioners
Aged: about 68 years, Occ: Architect
R/o. Flat NO. 502, VPC Castle, Gandhi Nagar, Hyderabad-80

17. Mr. Abhishek Ramanujan S/o. Not known to the Petitioners
Aged: about 42 years, Occ: Architect
R/o. 10-3-107, Teacher's Colony,
East Marredpally, Secunderabad-26

18. Mr. Jitender Singh, S/o. Not known to the Petitioner,
Aged 62 years, Occ: Architect,
C/o. Dr. Gaurav Singh , D2/603, Globus Green Acres,
Lalghati, Bhopal-462030

19. Mr. Akthar Hussain Mohammedhai Chauhan, S/o. Not known to the
Petitioner, Aged 64 years, Occ: Architect
R/o. 18/A/33, Taxila, Sardar Vallabhai Patel Road,
Andheri East, Mumbai 400093

20. Mr. Anand Padmanabh Palaye, S/o. Not known to the Petitioner,
Aged 65 years, Occ: Architect,
R/o. C-21, Viola CHS Ltd. Sy. No. 118/A,
Near Cipla Foundation, Warje, Pune-411058

...Respondents

PETITION FILED UNDER SECTION 23 OF THE SOCIETIES
REGISTRATION ACT

I. Description of the Petitioner:

1. The description of the Petitioners is as stated above in the cause title and the address for service of Notices and Summons is that of their Counsel, Sri. K. Mohan, Advocate, Flat No. 14, Ist Floor, Madhukunj Apartments, Secunderabad-03

II. Description of the Respondent:

2. The description of the Respondents and address for service is as stated above in the cause title.

III. Brief Facts:

3. The Petitioners No. 1 to 5 state that they are the members of the Respondent No. 2 Association and also the Members of the Respondent No. 1 Chapter. The Petitioners state that the Respondent No. 1 and 2 Association are formed with the object to organize and unite the fellowship among the architects of India, so as to promote aesthetic, scientific and practical efficiency of the profession and other objects as mentioned in the constitution of the Association and it is submitted that the Respondent No. 2 Association has chapters in every State and Union Territory and Respondents No. 3 to 17 are also members and Office Bearers who have been declared elected as per the Election of the Respondent NO. 1 Association.

4. The Petitioners submit that the Respondent No. 1 Association consists of the Executive Committee of 4 Office bearers, namely, the Chairman, Vice Chairman, Honorary Treasurer, Honorary Secretary and five Committee Members and the elections to the said Committee is conducted Bi-Annually. The Petitioner states that the two year term of the existing Committee was completed on 30-04-2023 and it is submitted that on 27-04-2023, the Respondent No. 2 had approved the

Schedule of IIA Election for the term 2023-25 simultaneously with the National/Chapters/Centers/Sub-centers including the Respondent No. 1 Chapter. The Petitioner states that initially, the voting used to be conducted by Postal Ballot and since 2015 the same is conducted by electronic mode, created by the Respondent No. 1 and 2.

5. The Joint Honorary sends the e-ballots as per the election Schedule prior to the first General Body Meeting to all Members who have no arrears of subscription and the Election Officers are appointed for each chapter, to conduct and oversee the entire election process. The Petitioner states that Respondent No. 18 to 20 are appointed as the Election Officers for the proper conduct of the election. It is humbly submitted that the Election Schedule was fixed as follows;

- i. E-Voting opens from 27-06-2023 at 6 am and closes on 29-06-2023 at 11 AM
- ii. Counting of e-votes will be done on 30-06-2023 at 10:30AM
- iii. First General Body meeting is to be conducted on or before 15-07-2023 and the outgoing Executive Committee would hand over the charge to the newly executed Executive Committee.

6. It is submitted that the Honorary Secretary to National Council, namely the Respondent NO. 3 on behalf of the Executive Committee was sending mails to the voters with regard to the process of e-Voting on the Official website of IIA, National Council and the e-Voting as per the Schedule was opened on 27-06-2023 at 6 AM and e-Voting commenced and large number of voters had cast their respective votes by about 2PM in the afternoon and there were no complaints from the Respondent No. 3 to 5 or the Service Provider. It is submitted that to the shock and surprise of the Petitioners, the Respondent No. 3 had suddenly suspended the voting process on the pretext of technical glitches in the server and

the same was suspended for a long duration, apparently with an intention to manipulate the whole process of the election, to aid and help the Respondents No. 3 to 10 to manipulate the results of the election. The Petitioner humbly states that there was no snag or problem with the server and the same was created to manipulate the election by the Respondents. It is humbly submitted that after the stoppage of the election process due to the technical snag, at about 8pm on 27-06-2023, the voters were once again asked to re-cast their vote and the e-voting was extended till 30-06-2023 till 0900hrs and it was informed that all the votes cast earlier would be annulled and it is humbly submitted that the members were advised to log out from their profile page and re-login to cast their vote and it is humbly submitted that the Respondent No. 3 clarified that the counting of e-votes shall be done as per schedule and the results were to be handed over in a sealed cover to the Secretary of the respective chapter and the same were to be announced on 15-07-2023, i.e. when the General Body Meeting was next held. The Petitioner states that, surprisingly, the results were announced on 30-06-2023 on the website of the Respondent No. 1 and the Respondent No. 3 and 4 were elected to the post of President and Vice President respectively and the Respondent No. 5 to 7 were elected as the Executive Members for the term 2023-25. It is humbly submitted that the Respondents deliberately manipulated the elections in the guise of a glitch in the system and the elections were not conducted in a fair and transparent manner as required under the bye-laws. The Petitioner submits that the process for conducting the elections are as follows;

A. Login to IIA portal (Defendant NO. 2) as member who holds a valid account id (in IIA case, it is membership number) and user preferred password of his/her own known security pattern.

B. Dashboard opens for pending status transactional records in the form for action. The dashboard form shows pending actions.

C. Election requirements are also considered as transaction, and strongly as proprietary to privileged user account.

D. Voter is advised to select the UI button for specific transaction, either National ballot or Chapter ballot which is based on user privilege.

E. After the casting of votes is complete, the interface button disappears and replaced by 'You have Voted' text fill dialogue.

7. The write up of IIA Election's Transaction System, a probable Operational Approach and to demonstrate the manner in which the voting process is rigged and conducted in an illegal manner is filed herewith.

8. The Petitioners submit that there is no text fill dialogue about the time stamp of the individual voting dates for both National and Chapter conclusion form. The Petitioners bonafide and strongly believe that the testers have hijacked the encrypted column in reference records about voter's password and privileges. The removal of password and privileges by tester for the deviated approach of such data hijack, once removed it is difficult to restore the same to original security pattern of the voter. The removal of password to bulk change in records update through this procedure (SQL by the backend Database Administrator of Hidden Access Heroes). This touches every proprietary record of eligible Voters for column is NULL (a condition of property restriction during design for NULL possibility), NULL, unless a reasoning with a secondary procedure is an indication of a rudimentary design approach of a such responsible system. The Petitioners submit that this activity continued unabated during the course of

voting process from 27 June 2023 till 30th June 2023. Numerous attempts with malafide intention by authorized hacking of records belong to voters under election processed records i.e. already casting of e-ballot or to be casted vote. The IIA portal was hacked about three to four times and such unlawful activity was noticed during voting process. The Respondents, especially Respondents No. 18 to 20 who are in possession and custody to produce the entire electronic devices used in conduct of the election process and the same has to be retained and cannot be destroyed. The same would prove the illegal acts of the Respondents, especially Respondents No. 3 to 17 to in conducting the elections to both the units. There is every likelihood of the Respondents 18 to 20 manipulating the said system to suit their purposes. The Petitioners submit that the voting was closed due to alleged software glitch and the root cause for the alleged glitch across the entire names component of system is not posted in the portal in public domain. After eight long hours alleged technical glitch the polling was directed to be resumed afresh, but the reason for starting the entire voting from the beginning was not posted in the portal. The data pertaining to E-votes already cast by voters prior to the alleged glitch is not brought to the notice of the voters till today. Moreover, those records updated were not compared with the new votes and supposed to be a clean data base, when the voters are asked to recast their vote. It is pertinent to state that the ILA ought to have conducted data level audit of E- votes prior to technical glitch with the subsequent votes. Further the institute should have sent the database (Schema Artefacts) of E-votes both prior and after the technical glitch for scrutiny by a national competent authority like (NIC). A report issued by Technical Expert in the IT field with regard to destroying the password and privilege of E-voters and rigging of votes by the database administrator is filed herewith. Further, the Scrutiniser's Report also mentions

about the alleged glitch in the system and the change of the election schedule and it is submitted that while recasting votes, many of the members had their passwords erased, which creates any amount of suspicion that the data was tampered and the same would manifest that the results were itself manipulated by the Respondents. The Petitioners also submit that initially, the STQC Certificate was issued for the initial process on 23-05-2023 vide Report No: STQCIT/ERTL(W)/2023ITS07 for the Web Application bearing name E-Voting Application Version 2.2.2 and after the alleged technical glitch, no further certification was done to the best of the knowledge of the Petitioners, which itself establishes that the voting system has been compromised.

9. The Petitioners submit that as there were no timestamps visible on the portal after casting of the vote and once the history records of votes are compared, the same would expose the rigging of the votes, as the password column of the voter's database was destroyed. The database administrator sitting at head office had destroyed the password column of the voters, whereby any e-votes cast by the voters is in favour of the candidates chosen by the database administrators but not by the individual voters, as such there is a serious rigging which had transpired in the e-voting process deliberately done by the Respondents to favour the Respondents No.3 to 17.

10. The Petitioners submits that the entire election process conducted and held is illegal as it was rigged by the database administrator sitting in the head office who had access to the IIA election portal. The Petitioner No.1 has already lodged a complaint regarding compromised password by unknown manner during election process for the term 2023-2025, to the Assistant Commissioner of Police, Cyber Crime Police Station, C.C.S Hyderabad on 03.07.2023 and the police had acknowledged the complaint and the matter is at the stage of preliminary investigation before registering an FIR. The office copy of the complaint along with the acknowledgment by the police are filed herewith. The

Petitioners state that as per the bye-laws, the Respondent No. 2 had no power or right to call, hold or conduct the election process of Respondent No. 1 and on that count also the election is illegal.

11. The narration of above facts would without doubt prove that the election process held in respect of Respondent No. 1 is illegal, malafide, collusive and fraudulent and not binding on the Petitioners. The illegal acts in the Internet language are known as 'ELECTION ENGINEERING'. The Petitioner states that the Respondent No. 1 has convened the meeting of the General Body of the members of the Respondent No. 1 Chapter. A copy of the meeting of the Respondent No. 1 scheduled on 15-7-2023 is filed herewith and one of the agenda in the said meeting to hand over the management of the Respondent No.1 to the newly elected Executive Committee comprising of Respondents No: 3 to 17. The Petitioners state that if the management of the Respondent No. 1 is handed over to the Respondents No: 3 to 17, they would further manipulate and indulge in illegal acts to defeat the rights of the Petitioners and frustrate the claim made in this Petition and as the present Managing Committee is entitled to continue until proper and lawful elections are conducted and a new committee is elected, it is submitted that no prejudice would be caused to the Respondents if the management is not handed over to the new body. Thus, there is prime facie case, and balance of convenience in favour of the Petitioners and the Petitioners would be put to irreparable loss and injury if no relief is granted.

12. In view of the above said facts the Petitioners are left with no other choice except to approach this Hon'ble Court with the present Petition to declare the Elections for the term 2023-2025 of Respondent No.1 dt. 27-06-2023 to 30-06-2023 to the Respondent No. 1 Chapter as illegal, null & void and not binding

upon the Petitioners and for consequent injunction restraining the Respondents No. 3 to 17 from taking over the charge of the affairs of the Respondent No. 1 Chapter from the present Executive Committee by virtue of the aforementioned Elections. Hence this Petition.

IV. DECLARATION:

The Petitioners states that they have not filed any other suit or proceeding with the same cause of action and there are no other proceedings pending between the parties in any court of law.

V. CAUSE OF ACTION:

The cause of action arose on 27-06-2023 when elections were conducted by the Respondent No. 2 and when the E- voting portal opened for polling votes of IIA Telangana Chapter and when the same was closed at 9:00hrs on 30.06.2023 and on 30.06.2023 when the counting of e-votes was done at IIA head-office and on 30-06-2023 when the election results were declared and on 03-07-2023 when the Petitioner No. 1 had made a complaint to the Cyber Crime PS vide Acknowledgement No. HYD/CYBER_CRIME/030723/02663 and on all other dates subsequent thereto, when the Respondents failed to consider the rigging of the elections and proceeded to announce the date of the General Body Meeting.

VI. JURISDICTION:

That the office of Respondent No. I is situated Secunderabad within the jurisdiction of this Court and as such, this Hon'ble court has jurisdiction over the matter.

VII. LIMITATION

The Elections were conducted on 27-06-2023 and the results were declared on

30-06-2023 and the Petition is filed in the month of July, 2023 and as such is filed within time

VIII. COURT FEE:

The Petitioners herewith pays in a fixed Court Fee of Rs. _____ under Article I Schedule II of the TSCF& SV Act and the same is sufficient.

IX. PRAAYER:

The Petitioners therefore pray to this Hon'ble Court to pass a Judgement and decree in favour of the Petitioner as under:

1. To declare that election dt. 27-06-2023 to the Executive Committee of Respondent No. 1 (IIA Telengana Chapter) for the term of 2023-2025 as illegal, null and void
2. To grant a permanent injunction restraining the Respondent No.1 from handing-over the charge of the management of the Respondent No. 1 to the Respondents No. 3 to 17
3. To award costs.
4. Any other reliefs.

PETITIONERS

COUNSEL FOR THE PETITIONERS

VERIFICATION

We, the above said Petitioners No. 1 to 5, do hereby verify that the contents stated in above paras in the Petition filed by us are true and correct to the best of our knowledge and belief and service rendered to us. Hence verified on this the day of July 2023.

PETITIONERS

LIST OF DOCUMENTS

Sl. No.	Dated	Description
1.	2016	Updated Constitution and Bye Laws of the Indian Institute of Architects along with Telangana Chapter
2.	27-04-2023	Schedule of IIA Election for the term 2023-2025
3.	07-05-2023	Appointment of Scrutineers for IIA Election 2023-25
4.	30-06-2023	Ballot Title IIA Telangana Chapter Elections for term 2023-25
5.	30-06-2023	Scrutineers Report IIA for term 2023-25
6.	10-07-2023	IT Technical Expert Report
7.	03-07-2023	Police Complaint to Cyber Crime PS
8..	03-07-2023	Acknowledgement of Complaint by Cyber Crime PS

COUNSEL FOR THE PETITIONERS

IN THE COURT OF THE HON'BLE IST
ADDITIONAL CHIEF JUDGE, CITY
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S.O.P. NO. OF 2023

BETWEEN:

Sri. Ravi Kumar Reddy & Ors.

...Petitioners

AND

M/s. Indian Institute of Architects,
Telangana Chapter, & Ors.

...Respondents

PETITION FILED UNDER SECTION 23
OF THE SOCIETIES REGISTRATION
ACT

FILED ON:

FILED BY:

K. MOHAN
COUNSEL FOR THE PETITIONERS

vakil21@rediffmail.com

+91 9848058087