

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05-06-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION Nos.15876 to 15880 of 2015
and
M.P.Nos.1, 1, 1, 1 and 1 of 2015

N.Meenakshi .. Petitioner in
WP 15876/2015

V.K.Ajith Kumar .. Petitioner in
WP 15877/2015

M.Rajagopal .. Petitioner in
WP 15878/2015

M.R.Ravi Kumar .. Petitioner in
WP 15879/2015

Pl.Nachiappan .. Petitioner in
WP 15880/2015

vs

1.The Registrar of Societies
(South Chennai)
Saidapet, Chennai 600 015

2.The Deputy Commissioner of
Police
Greater Chennai
St. Thomas Mount, Chennai

3.The Inspector of Police
Pallavaram Police Station
Chennai 600 043

4.The President
IHFD Nagar Welfare Association
GST Road, Pallavaram, Chennai 600 043 .. Respondents in
all writ petitions

Writ petitions filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents 1 to 3 to forbear the 4th respondent from in any manner preventing smooth supply and enjoyment of the basic amenities to their respective flats that includes water supply, sewerage connection, removal of garbage, etc., except by due process of law.

For Petitioners: Mr.T.S.Rajamohan

<https://hcservices.ecourts.gov.in/hcservices/>

For Respondents: Mr.R.Vijayakumar

Additional Government Pleader for RR1 to 3

COMMON ORDER

By consent, all the writ petitions are taken up for final disposal.

2.The petitioners claim to be the owners of various apartments called "IHFD Nagar", Pallavaram, Chennai, and they are paying periodic maintenance charges to IHFD Nagar Welfare Association, in which the fourth respondent is the President.

3.The grievance expressed by the petitioners, is that the affairs of the said association is being carried on against the relevant bye-laws and some criminality is also involved and in this regard, a police complaint was given to the third respondent and since he refused to take action, a private complaint was filed, which was taken on file in C.C.No.57/2014, on the file of the Court of Judicial Magistrate, Tambaram, for the alleged commission of offences under Sections 120-B, 403, 405, 408, 409, 420, 421, 422, 425, 466, 467, 471, 477 and 477-A IPC and summons have also been ordered to be issued. The petitioners had also submitted a common representation dated 26.5.2015, to the first respondent pointing out the irregularities in the affairs of the IHFD Nagar Welfare Association and since no action is taken, came forward to file these writ petitions.

4.Heard the submissions of Mr.T.S.Rajamohan, learned Counsel appearing for the petitioners, and Mr.R.Vijayakumar, learned Additional Government Pleader, who accepted notice for the respondents 1 to 3.

5.Though the petitioners prayed for a larger relief, this Court, in the facts and circumstances, is of the view that it would suffice to direct the first respondent to dispose of the petitioners' common representation dated 26.5.2015, in accordance with law, within a stipulated time frame.

6.This Court, without going into the merits of the common representation, submitted by the petitioners, directs the first respondent to consider and dispose of the petitioners' common representation dated 26.5.2015, in accordance with law, after putting on notice, the fourth respondent, as expeditiously as possible and not later than eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioners as well as to the fourth respondent. The writ petitions are disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

True Copy

To:

1.The Registrar of Societies
(South Chennai)
Saidapet, Chennai 600 015

2.The Deputy Commissioner of
Police
Greater Chennai
St. Thomas Mount, Chennai

3.The Inspector of Police
Pallavaram Police Station
Chennai 600 043

+2 cc to Mr.T.S.Rajamohan, Advocate,SR.27042.

+1 cc to Government Pleader,SR.27077.

Cnr(co)
krd 11/6

W.P.Nos.15876 to
15880 of 2015



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