

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.08.2015

CORAM

THE HON'BLE Mr. JUSTICE M.M.SUNDRESH

W.P.No.23451 of 2015
and
M.P.Nos.1 and 2 of 2015

Vyasarpadi Kasturba Gandhi Nagar
Residents Welfare Association
rep. by its General Secretary
Vyasarpadi, Chennai - 39.

... Petitioner

Vs.

1. The District Registrar of
Societies, Chennai Central,
Chennai - 14.

2. N.Logachandran

... Respondents

Petition filed under Article 226 of The Constitution of India
praying to issue a writ of certiorarified mandamus to call for all
the records relating to the impugned order No.10310/E2/2014 dated
22.12.2014 issued by the first respondent herein and quash the same
as unjust, arbitrary and illegal and consequently direct the first
respondent to accept the Form No.VII submitted by the petitioner
Association on 05.08.2014.

For Petitioner : Mr.J.Thilagaraj

For Respondents : Mr.M.S.Ramesh,
Additional Government Pleader
for R1

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ORDER

Challenging the order dated 22.12.2014, by which, the petitioner was informed that the inter se dispute between the petitioner and the second respondent cannot be decided as per the dictum laid down by the Division Bench of this Court in W.A.Nos.2669 of 2001 etc., batch dated 24.03.2005, the present writ petition has been filed.

2.Learned counsel for the petitioner submitted that the petitioner is the authorised representative of the Executive Committee, which has been duly elected as against the second respondent. This Court is afraid, the said dispute cannot be decided by the first respondent as the said authority has no power or authority to decide the same as held by the Division Bench of this Court in W.A.Nos.2669 of 2001 etc., batch dated 24.03.2005. Taking note of the same alone, the first respondent has passed the order.

3.The grievance of the petitioner is only against the second respondent and this can be only decided by the competent civil Court. Therefore, this Court does not find any reason to interfere with the same. The writ petition is dismissed, however, with liberty to the petitioner to workout their remedy before the competent civil Court, if so advised. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

mmi

To

The District Registrar of
Societies, Chennai Central,
Chennai - 14.

+2cc's to Mr.J.Thilagaraj, Advocate, S.R.No.39508
+1cc to the Government Pleader, S.R.No.39948

SR(CO)
CA(14/08/2015)

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