

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 10.2.2015

CORAM

THE HON'BLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.1703 of 2013

and

M.P.No.1 of 2013

1. Sayeed Ahmed Sahieb
2. T.Shyiah Ahmed
3. C.Mohamed Tamin

...Petitioners

vs.

1. The District Collector,
Vellore District at Vellore.
2. The General Secretary,
Vaniyambadi Muslim Educational Society,
Fort, Vaniyambadi, Vellore District.
3. Inspector General of Registration,
Santhome High Road,
Mandavalli, Chennai 600 028.
4. The Registrar of Societies,
Vellore Region, Vellore.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the 1st, 3rd & 4th respondents from in any manner allowing or permitting to process or proceed with the construction activities of the swimming pool and other commercial buildings in the 2nd respondent society without first obtaining proper approval or only on the basis of the resolution of the said effect and with reference to the representation dated 17.10.2012 of the petitioners.

For Petitioner : Mr.L.Chandrakumar

For RR 1 and 3 : Ms.P.Rajalakshmi, Govt. Advocate

For R2 : Mr.N.A.Nissar Ahmed

ORDER

Petitioners seek for the relief of mandamus directing the 1st, 3rd & 4th respondents from in any manner allowing or permitting to process or proceed with the construction activities of the swimming pool and other commercial buildings in the 2nd respondent society without first obtaining proper approval or only on the basis of the resolution of the said effect and with reference to the representation dated 17.10.2012 of the petitioners.

2. The petitioners would state that the second respondent Society and its managing committee are proposing to construct a swimming pool and other activities without any proper authority. Therefore, the petitioner has approached the authority by way of representation and seeks for a direction to consider their representation.

3. It is seen that the dispute is an internal one between the petitioners being members of the Society and the office bearers of the Society. Therefore, the petitioners have to approach the appropriate forum as against the decision taken by the managing committee of the society. It is only thereafter, the petitioners can approach the official respondents. The writ petition is disposed of accordingly. No costs. The connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

ssk.

To

1. The District Collector,
Vellore District at Vellore.
2. The General Secretary,
Vaniyambadi Muslim Educational
Society,
Fort, Vaniyambadi, Vellore District.
3. Inspector General of Registration,
Santhome High Road,
Mandavalli, Chennai 600 028.
4. The Registrar of Societies,
Vellore Region, Vellore.

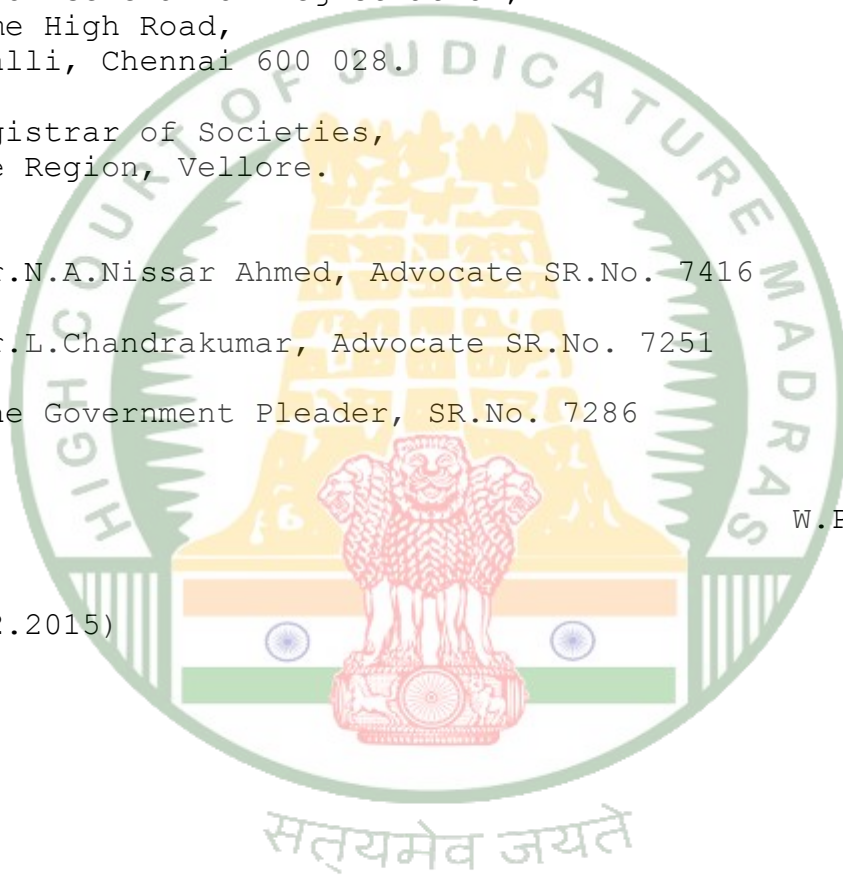
1 CC to Mr.N.A.Nissar Ahmed, Advocate SR.No. 7416

1 CC to Mr.L.Chandrakumar, Advocate SR.No. 7251

1 CC to the Government Pleader, SR.No. 7286

W.P.No.1703 of 2013

RSY (CO)
PSI (26.02.2015)



WEB COPY