



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.11.2015

CORAM :

THE HONOURABLE MR.JUSTICE V.RAMASUBRAMANIAN

and

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

Writ Appeal (MD) No.1208 of 2015

A.Devarajan

... Appellant/Petitioner/petitioner

Vs.

1.The District Registrar
District Registrar Office
Periyakulam,Theni District.

2.The Administrator,
Kallar Kalvi Kalagam
Reg.No.138/1967
Pasumpon Muthuramalinga Thevar College,
Usilampatti,Madurai District.

3.The Secretary,
Kallar Kalvi Kalagam
Reg.No.138/1967
Pasumpon Muthuramalinga Thevar College,
Usilampatti
Madurai District.

... Respondents

Writ Appeal filed under Section 15 of Letters Patent Act against the order dated 05.10.2015 passed in MP(MD)No.3 of 2013 in WP(MD)No.10045 of 2013 by this Court.

Prayer in WP(MD). 10045/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified mandamus calling for the records from the 1st and 2nd Respondent the final orders dated 01.06.2013 and quash the same and consequently to direct the 2nd Respondent to hold an enquiry to prepare appropriate voters list .

For Appellant : Mr.P.Senthurpandian

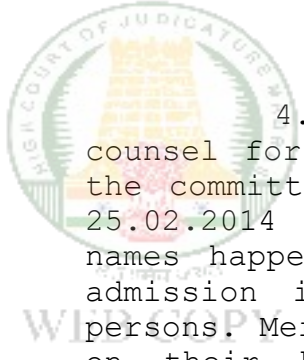
JUDGMENT

(Judgment of the Court was delivered by **V.RAMASUBRAMANIAN,J.**)

This writ appeal arises out of an interim order passed by a learned Judge in a couple of miscellaneous petitions pending disposal of three writ petitions, WP(MD)Nos.9223, 9008 and 10045 of 2013.

2.Heard Mr.P.Senthurpandian, learned counsel for the appellant.

3.Yesterday, we have dismissed WA(MD)No.1078 of 2015 as against the very same interim order. All the reasons stated in our order hold good even in respect of the present appeal.



4. However it is contended by Mr.P.Senthurpandian, learned counsel for the appellant that the arbitrary removal of 179 members, by the committee appointed pursuant to the orders of this Court passed on 25.02.2014 is unacceptable. But we do not agree. The removal of those names happened on account of the fact that the applications for their admission into membership did not bear the signatures of those 179 persons. Merely because the subscription has been paid in their names and on their behalves, it cannot be concluded that they applied for admission. The most fundamental requirement for admitting a person is to submit an application with his signature. When that is absent, the removal of the name cannot be questioned.

5. It is next contended by the learned counsel for the appellant that the appellant conceded only to one portion of the order dated 25.02.2014, and that therefore the appellant cannot be non suited on the basis of the other conditions stated in the order.

6. But unfortunately the appellant has not challenged the order dated 25.02.2014 on the ground that his consent was not in respect of the entirety of the order. Therefore, it is too late in the day for the appellant to raise the objections. Therefore, following the dismissal of WA(MD)No.1078 of 2015, this writ appeal is also dismissed. No costs. Connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(AE)

/True copy/

Sub Assistant Registrar

mj

To

1. The District Registrar
District Registrar Office
Periyakulam, Theni District.

2. The Administrator,
Kallar Kalvi Kalagam
Reg.No.138/1967
Pasumpon Muthuramalinga Thevar College,
Usilampatti, Madurai District.

3. The Secretary,
Kallar Kalvi Kalagam
Reg.No.138/1967
Pasumpon Muthuramalinga Thevar College,
Usilampatti, Madurai District.

+one cc to M/s.E.V.N.Siva, Advocate in SR.No.65475/15
+one cc to M/s.P.Senthurpandian, Advocate in SR.NO.65177
+one cc to The Special Government Pleader in SR.No. 65293/15

Writ Appeal (MD) No.1208 of 2015

05.11.2015