



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.12.2015

CORAM:

THE HON'BLE MR.JUSTICE K.RAVICHANDRABAABU**W.P. (MD)No.22255 of 2015**

N.Sivakumar

... Petitioner

Vs.

1.The District Registrar of Societies,
Virudhunagar District.

2.The Aruppukottai Devangar Mahajana Sabhai
rep.through its Manager,
Thangasalai, Aruppukottai,
Virudhunagar District.

3.Dinesh Kumar

... Respondents

Prayer:-Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus forbearing the 1st respondent from approving the Form-VII dated 7/8/2015 presented by the 3rd respondent in respect of the Aruppukottai Devangar Mahajana Sabhai bearing Registration No.11/1945.

For Petitioner : Mr.R.G.Shankar Ganesh

For R - 1 : Mr.K.Mahesh Raja
Government Advocate

For R - 2 : No appearance

For R - 3 : Mr.G.Prabhu Rajadurai
for Mr.V.B.Sundareshwar

ORDER

The petitioner being a member of the second respondent association filed the present writ petition seeking for a mandamus forbearing the first respondent from approving Form-VII submitted by the third respondent on 07.08.2015 in respect of 'Aruppukottai Devangar Mahajana Sabhai' bearing Registration No.11/1945 by contending that there is another group of elected office bearers have already filed another Form-VII before the first respondent and therefore, the Form VII submitted by the third respondent cannot be entertained by the first respondent. Admittedly those rival group of persons are not before this Court either by filing a petition or making themselves as respondents in this proceedings.

2.Mr.G.Prabhu Rajadurai, learned counsel appearing for the third respondent on the other hand submitted that the first respondent has already issued notice on 19.11.2015 calling upon both parties to appear for an enquiry on 26.11.2015 and therefore, the present writ petition is filed suppressing the above said fact, apart from being premature, is also not maintainable. He further submitted that on 26.11.2015 both parties namely the third respondent herein as well as the



rival group submitted their respective objections/representations before the first respondent and the first respondent has to pass final order.

3.The learned Government Advocate appearing for the first respondent submitted that the first respondent is going to pass final orders at any moment.

4.Considering the above stated facts and circumstances, I find that the present writ petition filed by the petitioner is not maintainable at this stage as it is highly premature in view of the fact that the first respondent after hearing both parties is going to pass orders finally. Therefore, this writ petition is disposed of with a direction to the first respondent to pass orders on merits and in accordance with law after considering the objections/ representations raised by the third respondent as well as by the rival group. Such order shall be passed by the first respondent within a period of two weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

To

The District Registrar of Societies,
Virudhunagar District.

+one cc to Mr.V.B.Sundharesh, Advocate in SR.No.15509

+one cc to The Special Government Pleader in SR.No. 76052

mj

CSL/GSV-AN/29.12.2015

2P/4C

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