

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2016

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.2148 of 2016

&

WMP No.1867 of 2016

Aaroon Joseph

.. Petitioner

Vs.

State of Tamil Nadu
rep. by its.

1. Inspector General of Registration
Office of the Inspector General of
Registrations, Santhome High Road,
Chennai 600 028.

2.The District Registrar of Societies
Vellore 632 001, Tamil Nadu State.

3.Mr.V.P.Ekambaram,
Former Treasurer
Jehovah Nissi - House of Worship

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus forbearing the second respondent from allowing the third respondent or any of his authorised person to act as the Treasurer of the above said house of prayer - Jahovah Nissi situated at No.16, Otteri Road, Begyam, Vellore - 632 002.

For Petitioner .. Mr.K.Gajendran

For Respondents 1 & 2 .. Mr.R.Vijayakumar, AGP

ORDER

Heard the learned counsel for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader accepting notice on behalf of the respondents 1 & 2 and with

their consent, the writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner seeks a direction to the second respondent not to allow the third respondent or any of his authorised person to act as the Treasurer of the above said prayer house.

3. It appears that there is an internal dispute in respect of the prayer house and the petitioner claiming to be the Secretary, seeks to prevent the third respondent to function as a Treasurer. It is not in dispute that already a civil suit has been filed by the third respondent in O.S.No.281 of 2015 on the file of the District Munsif, Vellore and the same is pending. In the said suit, the third respondent has sought for a declaration that the notice dated 17.09.2015 containing Resolution dated 14.09.2015, removing the plaintiff/third respondent from the post of treasurer and from the post of Executive Committee, as null and void and the plaintiff has also sought for a permanent injunction. The representation given by the petitioner is now pending consideration before the second respondent, as could be seen from the communication of the first respondent dated 11.01.2016 addressed to the petitioner.

4. Since this writ petition is taken up for disposal at the admission stage itself notice to the third respondent is dispensed with, the merits of the allegations made by the petitioner are not gone into and it is left open to be considered by the second respondent/competent authority.

5. In the light of the fact that the representation is under consideration of the second respondent, there will be a direction to the second respondent to take note of the representation and consider the same after giving notice to the petitioner as well as the third respondent and pass orders, within a period of eight weeks, from the date of receipt of a copy of this order. This writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

smi

To

1. Inspector General of Registration
Office of the Inspector General of Registrations,
Santhome High Road,
Chennai 600 028.

2.The District Registrar of Societies
Vellore 632 001, Tamil Nadu State.

+1 cc to Government Pleader, sr.4161

+1 cc to Mr.K.Gajendiran, Advocate, sr.3675

W.P.No.2148 of 2016

rsy co
kra 03.02.2016



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