



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.02.2016

CORAM

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

W.P.(MD)No.2575 of 2016

and

M.P.(MD).Nos.2279 and 2280 of 2016

A.T.Mathiyalagan

... Petitioner

Vs.

1. The Registrar of Societies,
Palace Road,
Madurai.

2. K.Pudur Thozil Varthaga Sangam,
represented by its President,
M/s. A.Fathimaraj.

3. K.Pudur Thozlil Varthaga Sangam,
represented by its Secretary,
M/s. Suviseshaganpavul.

4. A.Jahangir Badusha,
Election Officer,
K.Pudur Thozlil Varthaga Sangam.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned order of the fourth respondent dated 03.01.2016 and quash the same and consequently, direct the first respondent to direct the fourth respondent to conduct fresh election according to the bye law of the Sangam.

For Petitioner : Mr.M.Vijayarathinam

For Respondents : Mr.B.Saravanan

O R D E R

The Writ Petition has been filed for a Writ of Certiorarified Mandamus to call for the records relating to the impugned order of the fourth respondent dated 03.01.2016 and quash the same and consequently, direct the first respondent to direct the fourth respondent to conduct fresh election according to the bye law of the Sangam.

2. After some elaborate arguments, the learned counsel for the respondents produced the Original Special General Body Meeting Minutes Book, wherein the signature of the petitioner is also incorporated.

3. Without going to all other merits and without making any opinion, it is simply stated that once the election is over, it can be challenged only by way of a suit. In fact, already a civil suit is pending in https://hcscsnequits.gov.in/hcscsnequits/2015 before the District Munsif Court, Madurai Town. Hence, the petitioner is at liberty either to implead himself as a party and contest the very election itself or the petitioner is at liberty to



file a fresh suit on the same cause of action raising all the pleas raised in the writ petition. Accordingly, the Writ Petition is closed. No costs. Consequently, the connected Miscellaneous Petitions are closed.

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Sd/
Assistant Registrar(CO) I/C

/TRUE COPY/

Sub Assistant Registrar(C.S)
Madurai Bench of Madras High Court,
Madurai.

To

1 The Registrar of Societies,
Palace Road,
Madurai.

2 The District Munsif,
Madurai Town.

+1cc to M/S.B.Saravanan, Advocate in SR.No.10794
+1cc to Special Government Pleader in SR.No.11282
+1cc to M/S.M.Vijayarathinam, Advocate in SR.No.11344

W.P. (MD) No.2575 of 2016
25.02.2016

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