



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.05.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WEB COPY

W.P.(MD)No.9109 of 2016

and

WMP(MD)No.7256 of 2016

S.P.Jayapal (Senior Citizen)

.. Petitioner

Vs

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

2.Theni Melapettai Hindu Nadars Uravinmurai,
Represented by its General Secretary,
Having Office at 1100, Periyakulam Road,
Theni-625 531.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent to forbear the Office Bearers of the second respondent from continuing in their office beyond the three year term ending in May 2016.

For Petitioner ... Mr.P.V.Balasubramaniam

For R1 ... Mr.S.Sathish Kumar

Addl.Govt. Pleader

For R2 ... Mr.Mahaboob Athif

ORDER

By consent, the writ petition itself is taken up for final disposal.

2.Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

3.The petitioner, who is a member of the respondent Society now seeks for a writ of Mandamus to direct the first respondent to forbear the Office Bearers of the second respondent from continuing in their office beyond the three years period ending in May, 2016.

4.Mr.P.V.Balasubramaniam, learned counsel for the petitioner submitted that all that he requires the first respondent to do, is to ensure that an election is conducted to the Managing Committee



of the second respondent Society in a proper manner by following all the election norms.

5.The learned counsel for the second respondent raised an objection regarding the maintainability of the writ petition and submitted that two other writ petitions have been filed for more or less an identical relief and one of the writ petitions was filed by the petitioner's son.

6.At the outset, this Court points out the prayer sought for before the writ court is not maintainable. Merely because the second respondent Society is registered under the Provisions of the Tamil Nadu Societies Registration Act, on the file of the first respondent, cannot be a ground to grant the relief sought for by the petitioner. If the petitioner has any grievance in the internal administration of the Society, it has to be exposed before the appropriate Forum and the writ Court is not the proper Forum for doing so.

7.In the light of the above, the relief sought for by the petitioner cannot be granted and hence, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Vacation Officer

/True copy/

Sub Assistant Registrar
Madurai Bench of Madras High Court,
Madurai.

rj2/am

To

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

+1 cc to Mr.K.Sekar, Advocate, SR No.25974

+1 cc to M/S.Ajmal Associates, Advocate, SR No. 26078

RG.JGB-SS/SAR-III 10.05.2016 2P.4C

W.P. (MD) No.9109 of 2016
04.05.2016