

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(SPECIAL ORIGINAL JURISDICTION)

TUESDAY THE FIFTH DAY OF APRIL
TWO THOUSAND AND TWENTY TWO

THE HON'BLE MR.JUSTICE M.GOVINDARAJ

W.M.P.NO.99 OF 2017
in
W.P.NO.514 OF 1999

S.AR.Somasundram

...Petitioner / Petitioner / 3rd Party

Vs

1 Government Of Tamil Nadu
Represented by the Secretary to the
Commercial Tax Department ,
Fort St George, Chennai -9

2 The Inspector General of Registration,
Santhome High Road Chennai.

3. The District Registrar,
Namakkal

4 Kalaimagal Sabha (Regd.No.16/84),
Represented by its President No.67,
New Pallipalayam Road,
Kumarapalayam 638 183,
Salem District.

..1 to 4 Respondents / Respondents

5 M.Krishnamurthy

...5th Respondent / Petitioner

6 The Official Receiver,
District Court Complex,
Asthampatti, Salem Town,
Salem Taluk & District.

...Proposed 6th Respondent

Prayer:Writ Miscellaneous petition filed under Article 226 of the Constitution of India praying this Court to implead the proposed party i.e., The Official Receiver, Salem as sixth respondent as a party to the proceedings in the above

WPMP.No.1138 of 2008 in WPMP No.687 of 1999 in W.P.No.514 of 1999.

Prayer in WPMP No.1138 of 2008:Writ Miscellaneous Petition filed under Article 226 of the Constitution of India praying this Court to implead the the petitioner herein as party respondent.

Prayer in WPMP No.687 of 1999:Writ Miscellaneous Petition filed under Article 226 of the Constitution of India praying this Court to dispense with the production of the original copy of the notice bearing no.4052/M/986 dated 06.11.1998 on the file of the first respondent.

Prayer in W.P.No.514 of 1999:- Writ Petition filed under Article 226 of the Constitution of India praying that for the reasons stated in the affidavit filed therewith, the High Court will be pleased to issue writ of certiorarified mandamus calling for the records relating to notice bearing no.4052/M/98-6 dated 06.11.1998 on the file of the first respondent to quash the same and direct the first respondent for the appointment of a retired High Court Judge as Custodian to take control of the funds and assets of the society intended for the benefits of the members and to distribute the same either in the shape of funds or property, or both to the members of the society who prove their entitlement.

This petition coming on for hearing on this day and in pursuance of the orders dated 30.04.1999, 25.09.2015, 30.10.2015, 27.11.2015, 09.01.2017, and upon hearing the arguments of Mr.D.R.Arun Kumar, Advocate for the petitioner and of Mr.M.Rajendran, Advocate for the Respondent no.2 to 4, the court made the following order:-

"The petitioner in this Miscellaneous Petition cannot be impleaded by this court and he can make an application before the Joint Receiver, appointed by this Court.
This miscellaneous petition is dismissed."

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

1. Mr.N.Krishnamurthy, Member,
Kalaimagal Sabha,
Salem District.
2. The Secretary,
Government Of Tamil Nadu,
Government Commercial Tax Department,
Chennai- 9.
3. The Inspector General of Registration,
Santhome High Road, Chennai.
4. The District Registrar,
Namakkal Salem District.
5. The President,
Kalaimagal Sabha,
Salem District.

Copy to

Mr.J.Balagopal Advocate,
(Appointed as Joint Receiver)
No.10, RMK Annamalai Road,
Dharmaprakash Buildings,
Purasawalkam, Chennai - 600 084,
Mobile No.98401 51572

DATED : 05.04.2022

ORDER

W.M.P.NO.99 OF 2017
in
W.P.NO.514 OF 1999

Dismissing the petition to
implead the proposed party as sixth
respondent etc., as stated therein.

PPA[co]
NSK 13/05/2022