

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2017

CORAM

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P.No. 29321 of 2016
& WMP. Nos.25374 & 27404 of 2016

1 Ceramic Federation of Self
Groups Association Rep. by its Secretary
D.Moorthy S/o.Duraikannu,
B-3 Government Ceramic Industrial Estate,
Virudhchalam-606 001. PETITIONER

Vs

1. The Revenue Tahsildar
Virudhachalam.

2 The District Collector
Cuddalore.

3 Vasudevan
S/o.Murgaya Chettiar Kamala Ceramics MRK
Nagar Aladi Road Virudhchalam-606 001.

4 Ananda Gopal
S/o.Ramamoorthi Dawalat Ceramics Government
Ceramic Industrial Estate,
Virudhachalam-606 001. ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for a Writ of Certiorari to call for the records on the file of the 1st respondent in proceedings No. Nil, dated 04.08.2016 and quash the same as illegal incompetent and wholly without jurisdiction.

For Petitioner	: Mr.V.Raghavachari
For Respondents 1 & 2	: Mr.S.Rajeswaran, SPL.G.P.
For Respondent-4	: Mr.Sriram for M/s.K.J.PARTHASARATHY

O R D E R

This writ petition has been filed to call for the records on the file of the first respondent in proceedings dated 04.08.2016 and quash the same.

2. It is seen that notice of motion was granted along with interim stay on 28.09.2016 and while granting the same, this Court had observed as under:

"4.A perusal of the impugned proceedings would disclose that the first respondent has presided over the association meeting and in the considered opinion of this Court, the matter n issue pertains to internal affairs of the private association and the first respondent has no role to play and the first respondent cannot preside over the meeting of th said association and thus, a prima facie case has been made out for grant of interim orders."

3. A perusal of the records would show that already a civil suit in O.S.No.168 of 2016 on the file of the District Munsif Court, Virdhuchalam and another suit in O.S.No.288 of 2014 on the file of the II Additional District Court, Virdhuchalam is pending and the parties rights will be governed by the same. Therefore, this Court is of the view that the first respondent has no authority to preside the meeting in the presence of police. In view of the same, the impugned order is set aside and the parties are at liberty to redress their grievance in the suits referred to above.

4. With the above observation, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

सत्यमेव जयते

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Revenue Tahsildar
Virudhachalam.
2. The District Collector
Cuddalore.

+2 ccs to Mr.K.J.Parthasarathy Advocate sr 4119
+1 cc to Mr.V.Raghavachari Advocate sr 3875
+1 cc to Government Pleader High Court Madras sr 4094

W.P.No. 29321 of 2016

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