



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 24.02.2017
CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

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W.P. (MD) No. 7382 of 2014
and
M.P (MD) Nos.1 of 2014 & 1 of 2015
and
W.M.P. (MD) No.2283 of 2016

1.D.Lakshmanan

... Petitioner

-Vs-

- 1.The Registrar (Societies),
Palace Road,
Madurai.
- 2.The President,
Nadar Maga Jana Sangam,
Sa. Vellaisamy Nadar Kalloori Peravai,
A Registered Society,
(Regn.No.83/72)
Nagamalai Pudukottai,
Madurai.
- 3.The secretary,
Nadar Maga Jana Sangam,
Sa. Vellaisamy Nadar Kalloori Peravai,
A Registered Society,
(Regn.No.83/72),
Nagamalai Pudukottai,
Madurai.
- 4.The Secretary,
Nadar Maga Jana Sangam,
No.2, South Chidirai Street,
Madurai.

... Respondents

Prayer : This Petition filed under Article 226 of Constitution of India for the issuance of Writ of Declaration declaring the resolution passed by the 2nd respondent in the alleged General Body meeting held on 25.09.2011 as null and void.

For Petitioner : Mr.N.Shanmugavel
For Respondents : T.S.Mohamad Mohaideen,
A.G.P for R1

: B.Saravanan for R3

: No Appearance for R2 and R4

**ORDER**

This writ petition is filed challenging the resolution passed by the second respondent, which is admittedly a private association.

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2.I do not think that the petitioner is justified in approaching this Court and filing a writ petition by invoking the jurisdiction of this Court under Article 226 of the Constitution of India challenging the resolution passed by the private association. If at all the petitioner is aggrieved such resolution, it is for him to approach the competent civil Court and file an appropriate civil suit, challenging such resolution. Instead of doing so, filing of the present writ petition is not at all maintainable.

3.Accordingly, this Writ Petition is dismissed as not maintainable, without expressing any view on the merits of the matter. However, liberty is granted to the petitioner to approach the competent civil Court and file a civil suit, if the petitioner is having any legally sustainable grievance against the impugned resolution. No costs. Consequently, connected miscellaneous petitions are also dismissed.

Sd/-

Assistant Registrar(A.S)

/True Copy/

Sub Assistant Registrar

To:

1.The Registrar (Societies),
Palace Road,
Madurai.

2.The President,
Nadar Maga Jana Sangam,
Sa. Vellaisamy Nadar Kalloori Peravai,
A Registered Society,
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Nagamalai Pudukottai,
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3.The secretary,
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Nagamalai Pudukottai,
Madurai.



4.The Secretary,
Nadar Maga Jana Sangam,
No.2, South Chidirai Street,
Madurai.

+1cc to Mr.B.Saravanan,Advocate, SR.No:10989

+1cc to Mr.N.Shanmugavel, Advocate Sr.No.10778

+1cc to M/S THE SPECIAL GOVERNMENT PLEADER, SR.NO. 10949

skn

AE/MMS/09.03.2017/3P/8C

W.P. (MD) No. 7382 of 2014
24.02.2017