



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

Writ Petition [MD]No.16795 of 2015

and

M.P(MD)No.1 of 2015

and

W.M.P. (MD)No.18362 of 2018

Thilak Chander

... Petitioner

Vs.

1.The Registrar of Societies,
Trichy Joint No.1,
Court Campus, Cantonment,
Trichy District.

2.Tiruchirappalli District Cricket Association,
Rep. by its Secretary P.Ilangovan,
2nd Floor, C/o.G.K. & Sons,
No.30, Chennai Bypass Road,
Mannapuram, Trichy-20.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India for the issuance of writ of mandamus, to direct the first respondent to prevent the second respondent from conducting the Annual General Body Meeting on 20.09.2015 or on any subsequent dates with the list of 179 members attached in the notice dated 29.08.2015.

For Petitioner : Ms.J.Anandhavalli

For R1 : Mr.M.Murugan
Government Advocate

For R2 : Mr.M.Saravanan

O R D E R

This writ petition has been filed to prevent the second respondent from conducting Annual General Body meeting on 20.09.2015.

2.According to the petitioner, many of the persons who were not members of the association were found in the voters list and therefore, they are not entitled to act as a member to



participate in the Annual General Body Meeting. In this regard, a representation appears to have been made to the first respondent on 04.09.2015 requesting the first respondent to prevent the second respondent from conducting Annual General Meeting on 20.09.2015. Though the first respondent has received the said representation, no action has been taken so far. Therefore, the petitioner has approached this Court by way of this writ petition.

3.From the pleadings and the materials, as disclosed it appears that the petitioner is aggrieved over the finalisation of the voters list and the conduct of the Annual General Body Meeting. The dispute appears to be purely civil in nature. Moreover, the second respondent is an association which not amenable to the writ jurisdiction of this Court under Article 226 of the Constitution of India. However, it is always open to the aggrieved party to approach the competent civil Court, since the dispute involved in this writ petition is civil in nature, this Court cannot entertain this writ petition under Article 226 of the Constitution of India.

4.Accordingly, the writ petition is dismissed. No costs. M.P(MD)No.1 of 2015 and W.M.P.(MD)No.18362 of 2018 are closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS-III)

To

The Registrar of Societies,
Trichy Joint No.1,
Court Campus, Cantonment,
Trichy District.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER, IN SR NO.87769
+ 1 CC TO MRS.J.ANANDHAVALLI, ADVOCATE IN SR NO.87812
+ 1 CC TO MR.R.SUBRAMANIAN, ADVOCATE IN SR NO.87838

rmi

BU/RSK/SAR-III:29.10.2018 : 2P/5C

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