



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P. (MD) No.19735 of 2018

and

W.M.P. (MD) Nos.17523 & 17524 of 2018

M.S.A.Peter Jebaraj

... Petitioner

vs.

1.The District Registrar
(Societies Registration)
Tuticorin District Registration Office
Polapettai, Tuticorin

2.The President
All India Chamber of Commerce
and Industries
Tuticorin

3.The Secretary
All India Chamber of Commerce
and Industries
Tuticorin

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorari calling for the records relating to the Election Notice dated 17.08.2018 issued by the third respondent, to hold the Annual General Body Meeting and the Election of the new Executive Committee Members of the All India Chamber of Commerce and Industries, Tuticorin, for the period of Two years (2018-2019 & 2019-2020), on 20.09.2018 and quash the same.

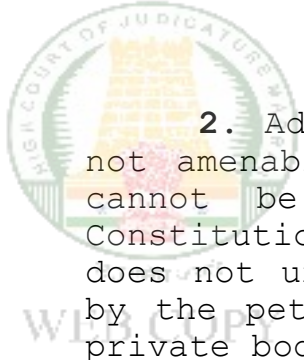
For Petitioner : Mr.S.Kadarkarai

For Respondent : Mr.M.Murugan

Government Advocate (Civil Side) for R1

O R D E R

What is challenged in this writ petition is the Election Notice, dated 17.08.2018, issued by the third respondent, to hold the Annual General Body Meeting and Election of the New Executive Committee Members of the respondents 2 and 3 - Society.



2. Admittedly, the respondents 2 and 3 are private bodies and not amenable to the writ jurisdiction of this Court and the same cannot be defined as "the State" under Article 12 of the Constitution of India, either. In such circumstances, this Court does not understand as to how its writ jurisdiction can be invoked by the petitioner as against the respondents 2 and 3 - Society / private body.

3. In case the petitioner is aggrieved by the Election Notice, issued by the third respondent, it is always open to him to approach the competent Civil Court and assail the Election Notice, if he is so advised. It is certainly not open to the petitioner to invoke the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India and seek remedy as against the private respondents.

4. For the above said reasons, the writ petition is dismissed as not maintainable. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS II)

/True Copy/

Sub Assistant Registrar(CS III)

krk

To:

The District Registrar, (Societies Registration),
Tuticorin District Registration Office,
Polapettai, Tuticorin.

1CC TO MR. S. KADARKARAI, ADVOCATE SR 84393

1CC TO THE SPL GOVT PLEADER SR 84310

NM SV SAR 3

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