

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2019

CORAM

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

WP. No. 21630 of 2019

S.Prabhakaran

...Petitioner

Vs.

1.The District Registrar of Societies
Salem West,
O/o.The District Collectorate Campus
Salem, Salem District.

2.The Secretary
Salem Civil Engineers Association
Housing of Engineers
No.6/1, Omalur Main Road
Salem 636 009.

3.The Chairman
Governing Council
No.6/1, Omalur Main Road
Salem 636 009.

.... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the First Respondent to consider the representation of the Petitioner dated 26.03.2019 in accordance with law.

For Petitioner

:Mr. K.Anandhu

For Respondents

:Mr. T.M.Pappiah for R1

Special Government Pleader

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O R D E R

The Writ Petition has been filed for a direction to the First Respondent to consider the representation dated 26.03.2019 made by the Petitioner for conduct of election to the Second Respondent.

2. When it is pointed out that in view of the dictum laid down by the Full Bench of this Court in C.M.S. Evangelical Suvi David Memorial Higher Secondary School Committee -vs- District Registrar, Cheranmahadevi [(2005) 2 LW 550] that disputes relating to conduct of election in an association cannot be adjudicated by the Registrar of Societies under the provisions of the Tamil Nadu Societies Registration Act, 1975, and the aggrieved person would have to institute suit before the jurisdictional Civil Court for appropriate relief, Learned Counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition with liberty to resort to the same. He has also made an endorsement to that effect, which is recorded.

3. Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty. No costs.

s/d-

Assistant Registrar(CS VII)

True Copy

Sub-Assistant Registrar

dna

To

1.The District Registrar of Societies
Salem West,
O/o.The District Collectorate Campus
Salem, Salem District.

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Salem Civil Engineers Association
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+2 Ccs to Mr.K.Anandhu, Advocate sr 63638 & 63524.

+1 CC to The Govt. Pleader sr 63394

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MR(CO)

SP(27/08/2019)