

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2019

CORAM

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

W.P. No.22115 of 2019
and
W.M.P. No.21384 of 2019

Mr.A.Mohan

...Petitioner

Vs.

1.The District Registrar (Management),
Registration Department,
Coimbatore.

2.The President,
Pollachi Sree Narayanaguru Samajam,
Pollachi, 642 001.

3.The General Secretary,
Pollachi Sree Narayanaguru Samajam,
Pollachi, 642 001.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the Second Respondent herein to restore the membership of the Petitioner in the "Pollachi Sree Narayanaguru Samajam" in accordance with the order dated 09.04.2019 passed by the First Respondent bearing Na.Ka.No.299/Aa2/2018, consequently reinstate the Petitioner in the post of Joint Secretary of the said Samajam.

For Petitioner : Mr.K.Govindan

For Respondents : Mr.T.M.Pappiah,
Special Government Pleader

O R D E R

The Writ Petition has been filed for direction to the Second Respondent to restore the membership of the Petitioner in Pollachi Sree Narayanaguru Samajam, which is the Second and Third Respondent, in accordance with the order Na. Ka. No. 299Aa2/2018 dated 09.04.2019 passed by the First Respondent and for other consequential reliefs.

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 removal from membership 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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.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.

rkp

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The District Registrar (Management),
Registration Department,
Coimbatore.
2. The President,
Pollachi Sree Nayanaguru Samajam,
Pollachi, 642 001.
3. The General Secretary,
Pollachi Sree Nayanaguru Samajam,
Pollachi, 642 001.

+1cc to Mr. Govindan, Advocate, SR.No.64332
+1cc to the Govt. Pleader, Vide Sr.No.64714

W.P. No.22115 of 2019

Kak(26/08/2019)