



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 04.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD) No.7511 of 2019

and

W.M.P (MD) .No.6000 of 2019

Sundara Mahalingam

... Petitioner

Vs

- 1.The District Collector,
Virudhunagar District,
Virudhungar.
- 2.The District Registrar,
Virudhunagar District,
Virudhunagar.
- 3.The Chief Educational Officer,
Virudhunagar District,
Virudhunagar.
- 4.The Revenue Divisional Officer,
Sivakasi, Virudhunagar District.
- 5.The District Educational Officer,
Sivakasi, Virudhunagar District.
- 6.The Tahsildar,
Srivilliputtur Taluk,
Virudhunagar District.
- 7.The Sub-Inspector of Police,
Watrap Police Station,
Virudhunagar District.
- 8.Selvaraj
Secretary,
Watrap Sivakasi Hindu Nadar Uravinmurai,
Watrap, Srivilliputtur Taluk,
Virudhunagar District.

... Respondents

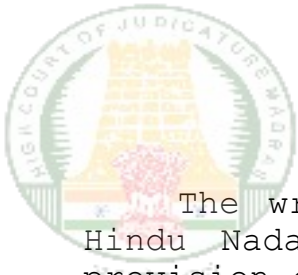
PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents 1 and 4 herein to complete the enquiry within the stipulated period.

For Petitioner : Mr.M.Jothibas

For R1 to R7 : Mr.M.Murugan

Government Advocate

For R8 : Mr.S.Parthasarathy

**ORDER**

The writ petitioner was a former President of Watrap-Sivakasi Hindu Nadar Uravinmurai. It is a society registered under the provision of the Tamil Nadu Societies Registration Act, 1975. It is claimed that the election was conducted to elect Office bearers of the said society and that the persons, who claim that they have been elected, had also filed Form-VII before the District Registrar, Virudhunagar on 13.03.2019. The second respondent has issued the receipt alone. At this stage, this writ petition has been filed for directing the revenue authorities namely the Revenue Divisional Officer, Sivakasi to complete the enquiry within the stipulated time. An interim injunction restraining the second respondent from taking on file the Form-VII submitted by the rival party has also been sought.

2. The learned counsel appearing for the petitioner states that since there are two groups in the said Society, a Peace Committee Meeting was organized by the Revenue Divisional Officer, Sivakasi on 13.03.2019. In the Peace Committee Meeting, both the groups had given an assurance that they would maintain peace and that the status-quo would be maintained till election is conducted. The petitioner's complaint is that in violation of the said undertaking, the rival party had filed Form-VII.

3. It is not in dispute that the Peace Committee Meeting held on 13.03.2019 was pursuant to the communication dated 27.02.2019. This Court went through the contents of the said communication. It was mere an invitation to attend the meeting for finding an amicable resolution to the dispute. By no stretch of imagination, can it be called as having any statutory force.

4. The learned counsel appearing for the petitioner states that Chapter-VIII of Cr.P.C enables the Executive Magistrate to convene the Peace committee Meeting.

5. I cannot agree with the said submission. The proceedings initiated in Chapter-VIII of the Cr.P.C., are in the nature of security proceedings. They are formal in nature. They have penal consequences also. A peace Committee Meeting on the other hand is intended to find a peaceful solution to the dispute that had arisen between the parties. Therefore, the proceedings initiated by the second respondent in this case are bereft of any statutory force. Therefore, the question of issuing a mandamus in such a case does not arise.

6. More than anything else it seen that it is only a dispute among the members of the registered Society. This Court has consistently held in such cases that it is only the civil Court, which must be resorted to. Filing writ petition is not a remedy. Likewise, invoking the jurisdiction of the Revenue Authority is also



not a remedy. The writ petitioner will have to knock the doors of the Civil Court for ventilating his grievance.

7. I find no merit in this writ petition. The Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous petition is closed.

WEB COPY

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The District Collector,
Virudhunagar District,
Virudhunagar.
- 2.The District Registrar,
Virudhunagar District,
Virudhunagar.
- 3.The Chief Educational Officer,
Virudhunagar District,
Virudhunagar.
- 4.The Revenue Divisional Officer,
Sivakasi, Virudhunagar District.
- 5.The District Educational Officer,
Sivakasi, Virudhunagar District.
- 6.The Tahsildar,
Srivilliputtur Taluk,
Virudhunagar District.
- 7.The Sub-Inspector of Police,
Watrap Police Station,
Virudhunagar District.

+1cc to Mr.S.PARTHASARATHI, Advocate, SR.No.59346

+1cc to M/S.G.M.LAW OFFICE, Advocate, SR.No.59172

+1cc to M/s.Special Government Pleader,SR.No. 59548

W.P.(MD)No.7511 of 2019

04.04.2019

RMK

KK/SAR/22.04.2019/ 3P- 11C