



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.08.2019

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD)No.18839 of 2019

Suresh

... Petitioner

-Vs-

1.The District Registrar of
Societies,
Tirunelveli District.

2.The Secretary,
Viabarigal Sangam,
Vallioor,
Tirunelveli District.

... Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the 1st respondent to dispose the petitioner's representation dated 17.08.2019 and pass orders within stipulated time as may be fixed by this Court.

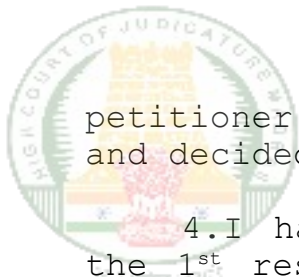
For Petitioner : Mr.T.A.Ebenezer
For Respondents : Mr.M.Murugan, G.A. For R1

ORDER

The prayer in this writ petition is for a Writ of Mandamus, directing the 1st respondent to dispose the petitioner's representation dated 17.08.2019 and pass orders within stipulated time as may be fixed by this Court.

2.Heard Mr.T.A.Ebenezer, learned counsel appearing for the petitioner and Mr.M.Murugan, learned Government Advocate appearing for the 1st respondents. Since no adverse order is going to be passed against the 2nd respondent, notice to him is dispensed with.

3.The petitioner claimed to be the member of the 2nd respondent Association and he apprehends that, in a general body meeting to be conducted shortly, some decision going to be taken against the petitioner to remove him from the membership and once, the petitioner is removed and in this regard any resolution be passed in the 2nd respondent Association is submitted before the 1st respondent, the same shall not be registered or recorded and in this context, the petitioner had given a representation on 17.08.2019 to the 1st respondent. Therefore, the learned counsel appearing for the



petitioner submits that, the said representation shall be considered and decided on merits by the 1st respondent.

4.I have heard the learned Government Advocate appearing for the 1st respondents, who would submit that, the petitioner, as of now, is not having any grievance against any one including the 2nd respondent and if at all, anything happen in the meeting to be conducted in the 2nd respondent Association, where, some adverse decision is taken and accordingly, it if is brought to the notice of the 1st respondent, the same would be considered on merits and in accordance with law. Therefore, at this juncture, no action need to be taken by the 1st respondent, pursuant to the said representation dated 17.08.2019.

5.Having regard to the said submission made by the learned Government Advocate, this Court is inclined to dispose of this writ petition, with the consent of both the parties, at the stage of admission itself, with the following order:

"The petitioner, on apprehension, has moved this writ petition. Admittedly, as on date, no adverse order has been passed by the 2nd respondent Association. As he apprehended, if at all any decision is taken in the 2nd respondent Association in the forthcoming general body meeting and pursuant to which, any resolution is passed and submitted, for recording the same by the 1st respondent, it is for the 1st respondent to take a decision on merits and in accordance with law and therefore, no specific direction need be given at this stage to consider the representation of the petitioner dated 17.08.2019."

6.With this observation, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

Arul

To

The District Registrar of
Societies,

Tirunelveli District.

+1 CC to M/s.T.A. EBENEZER, Advocate (SR-84801[F] dated
03/09/2019)

+1 CC to M/s.SPL GP (SR-85006[F] dated 04/09/2019)

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30.08.2019

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<https://hcservices.ecourts.gov.in/hcservices/>