

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.08.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.11329 of 2020

and

WMP.No.13813 of 2020

The Salem District Sarvodaya Sangh,
Rep. by its Secretary K.Arumugam,
Thandavarayapuram,
Attur 636 108.

... Petitioner

Vs.

- 1.The District Registrar of Societies (Administration),
Salem East,
Salem District.
- 2.The Superintendent of Police,
Attur, Salem District.
- 3.The Inspector of Police,
Town Police Station,
Attur Town, Salem.
- 4.Ms.Amudha.

.... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Mandamus, directing the respondents 1 to 3 to prevent the fourth respondent from interfering with the day to day affairs of the Salem District Sarvodaya Singh, Bharathipuram, Thandavaryapuram Post, Attur Taluk, Salem District except under process of law and pass orders.

For Petitioner : Mr.V.Suthakar

For Respondents : Mr.T.M.Pappiah, for R1
Special Government Pleader.

Mr.E.Balamurugan for RR2 &3
Special Government Pleader.

Mr.C.Srinivasan for R4.

O R D E R

This writ petition has been filed for issuance of Writ of Mandamus directing the first respondent to conduct enquiry based on the complaint given by the petitioner on 13.07.2020 and 20.07.2020.

2.The case of the petitioner is that the petitioner Sangam was registered in the year 1961 under the Societies Registration Act and is directly aided institution of Khadi and Village Industries Commission (K&VIC). This comes under the Ministry of M.S.M.E., Government of Tamil Nadu.

3.The further case of the petitioner is that elections were conducted for the office bearers in the year 2018 and the term of the office for a period of three years is coming to an end only on 26.02.2021. The grievance of the petitioner Sangam is that the 4th respondent, who is an Executive Committee Member had taken law into her own hands and had convened a meeting and had gone to the extent of suspending the office bearers. According to the petitioner Sangam, there is lot of confusion that has been created and the same requires immediate resolution by the interference of the first respondent. It is also seen that the 4th respondent had also given some complaint before the 1st respondent.

4.Heard Mr.V.Suthakar, learned counsel appearing on behalf of the petitioner and Mr.T.M.Pappiah, learned Special Government Pleader appearing on behalf of the 1st respondent and Mr.E.Balamurugan, learned Government Advocate, appearing on behalf of the respondents 2 and 3 and Mr.C.Srinivasan for the 4th respondent.

5.This Court is more interested in the smooth functioning of the petitioner Sangam since it provides employment for many weakers and the internal dispute between the office bearers should not result in the functioning of the Sangam coming to a standstill. Both sides have given complaints against each other before the first respondent. In that case, the first respondent has to necessarily deal with the complaint and pass orders at the earliest possible time.

6.This Court at this point of time, cannot express any views on the merits of the case and it will have a direct bearing on the enquiry conducted by the 1st respondent.

7.Taking into consideration, the facts and circumstances of the case, there shall be a direction to the 1st respondent to immediately call for an enquiry of the office bearers of the petitioner Sangam based on the complaints dated 13.07.2020 and

20.07.2020 and deal with the same strictly in accordance with law. The 1st respondent shall pass appropriate orders within a period of four weeks from the date of receipt of copy of this order.

8.The petitioner Sangam is directed to make a fresh representation to the first respondent along with a copy of the earlier complaints and also a copy of this order.

9.This writ petition is disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

-S/d-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1.The District Registrar of Societies (Administration),
Salem East,
Salem District.
- 2.The Superintendent of Police,
Attur, Salem District.
- 3.The Inspector of Police,
Town Police Station,
Attur Town, Salem.
- 4.The Public Prosecutor,
High Court, Madras.

+2cc to Government Pleader, High Court, in SR.27532 & 27535
+1cc to Mr.C.Saravanan, Advocate in SR.27727

W.P.No.11329 of 2020

VG-II (CO)
RV(17/09/2020)