

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.12.2020

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.17777 of 2020

1 P.Gandhi
2 K.Padmanabhan
3 A.Sittrarasu
4 R.Prasad
5 Sruitheran Rangarajan ...Petitioners

Vs.

1 The Registrar of Societies (South Chennai)
District Registration Office
SIDCO Electronic Complex
Thiru-Vi-Ka Industrial Estate
Guindy, Chennai 600 032.

2 The Inspector General of Registration
100, Santhome High Road,
Mullima Nagar, Mandavelipakkam
Raja Annamalaipuram,
Chennai, Tamil Nadu- 600 028

3 Additional Inspector General of Registration
District Registration Office
SIDCO Electronic Complex
Thiru-Vi-Ka Industrial Estate
Guindy, Chennai 600 032.

4 The President
Unity Enclave Owners Welfare Association
C Block, SBIOA - Unity Enclave Medavakkam Road
Mambakkam, Chengalpattu District
TamilNadu 600 127.

5 The Secretary
Unity Enclave Owners Welfare Association
C Block, SBIOA - Unity Enclave Medavakkam Road
Mambakkam, Chengalpattu District
TamilNadu 600 127. ...Respondents

This Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first and second respondents to dispose of the representation dated 07.11.2019 submitted before the first respondent that acknowledged by the first Respondent office on 12.12.2019 and subsequent representation dated 25.05.2020 presented before the second respondent office dated 14.08.2019.

For Petitioners : M/s.C.H.Vinoba Gandhi

For Respondents 1 to 3: Mr.T.M.Pappiah

Special Government Pleader

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the first and second respondents to dispose of the representations made by the petitioners on 07.11.2019 and 14.08.2019 respectively and pass orders within the time frame fixed by this Court.

2. Heard Mr.C.H.Vinoba Gandhi, learned counsel for petitioner and Mr.T.M.Pappiah, learned Special Government Pleader for respondents 1 to 3.

3. This Court has carefully considered the averments made in the affidavit filed in support of the Writ Petition and also the documents filed along with the Writ Petition. The nature of dispute that has been espoused by the petitioners requires a thorough consideration of facts and it would be appropriate if the petitioners approach the competent Civil Court and work out their remedy. No useful purpose will be served by giving a direction to the first and second respondents to consider the representation made by the petitioners, since those respondents will not have the jurisdiction to deal with some of the issues, which are to be decided only by a Civil Court.

4. In view of the above, this Court is not inclined to issue any direction to the respondents and liberty is granted to the petitioners to workout their remedy before the competent Civil Court in accordance with law. Except giving this liberty, no further orders can be passed by this Court.

5. This Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar (CS-VI)

// True Copy//

Sub Assistant Registrar

mra

To

- 1 The Registrar of Societies (South Chennai)
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+1cc to Government Pleader, SR.No.40435

W.P.No.17777 of 2020

MG (CO)
KKV/22/01/2021

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