

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.11.2020

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.14656 of 2020
(Heard through VC)

Dr.K.Muthukumaran

.. Petitioner

Vs.

1. The Inspector General for Registration
Office of the Registrar General
Santhome High Road
Mylapore, Chennai 600 028
 2. The District Registrar (Societies)
South Chennai
Guindy Industrial Estate
Guindy, Chennai - 600 032
 3. Crystalspring Flat Owners Welfare Association,
Association having Rep by its President
Mr.Poothirajan,
Block-A, Flat No.205, Raj Paris Crystal
Springs Apartment
Madampakkam, Chennai - 600 126
- ... Respondents

PRAYER: Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to consider petitioner's representation dated 08.08.2020 and dispose of the same within the time stipulated by this court.

For Petitioner : Mr.M.Silambarasan
For Respondents-1&2 : Mr.T.M.Pappiah
Special Government Pleader
For Respondent - 3 : Mr.Chinnasamy

O R D E R

With the consent of the parties, the writ petition is taken up for final disposal, at the stage of admission itself.

2. The writ petition has been filed seeking a direction to the 2nd respondent to consider petitioner's representation dated

08.08.2020 and dispose of the same, within the time stipulated by this court.

3. The petitioner and his family members are living in one of the flats in Raj Paris Crystal Springs Apartment and they have been paying regularly a sum of Rs.3,000/- per month towards maintenance charge to the third respondent Association, ever since their occupation. There are totally 58 flat owners in the Association and the petitioner is one of the members. According to the petitioner, the third respondent is collecting a sum of Rs.2.00 Lakhs as maintenance charge every month and a total sum of Rs.25.00 Lakhs per annum.

4. The grievance of the petitioner is that the third respondent and its office bearers do not disclose the account details properly. His further grievance is that the election conducted for selecting the office bearers of the Association, was not fair. Hence he has sent a representation to the second respondent to declare the office bearers of the third respondent association as invalid and for cancellation of the Registration Certificate of the Association. As there was no response on his representation, he has filed the instant writ petition for a mandamus.

5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case and the submissions made on either side, this Court, without expressing any opinion on the merits of the case, directs the second respondent to consider the representation of the petitioner dated 08.08.2020, enquire into the same and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner, as well as the third respondent herein and by affording them an opportunity of personal hearing or virtual hearing or otherwise, considering their written objections and after verifying the relevant documents, within a period of four weeks from the date of receipt of a copy of this order.

7. With the above directions, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

rsi

To

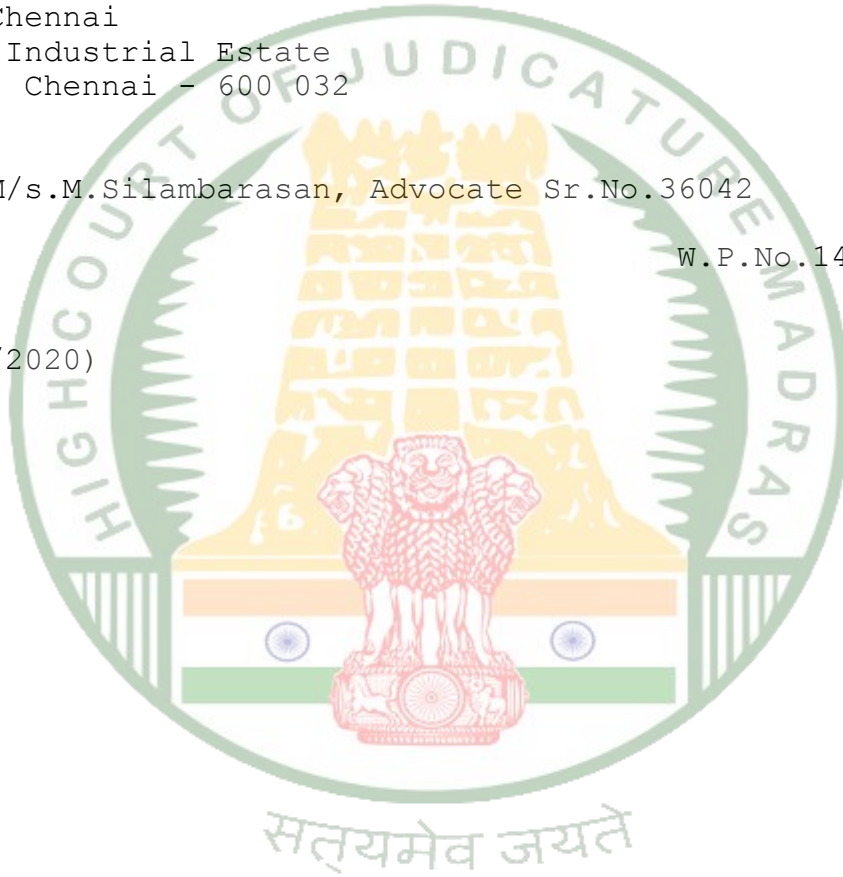
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+1 cc to M/s.M.Silambarasan, Advocate Sr.No.36042

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MG(CO)
RMP(07/12/2020)



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