



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.07.2020

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 7523 of 2020 and

W.M.P. (MD) No. 7013 of 2020

WEB COPY

1. R.Kannan
2. M.S.Pooniah
3. S.Jayakodi
4. K.Sivaraj
5. B.Rajappa
6. Jothi Raj Rajamani
7. S.Madhivanan
8. V.Jayakumar
9. Rajendran
- 10.M.Nagoorkani
- 11.R.Ramesh
- 12.S.Kumar

...Petitioners

Vs.

1. The Government of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Commercial Taxes and Registration, (M1) Department,
Fort St. George, Secretariat,
Chennai - 600 009.
2. The Inspector General of Registration,
O/o.The Inspector General of Registration,
No.100, Santhome High Road,
Chennai - 600 028.
3. The District Registrar(Societies),
O/o.The District Registrar,
Madurai(South), Madurai.
4. Indira Gandhi College for Women Committee,
(a society registered under T.N.societies Registration Act),
MSL No.19/1985,
A-5, Pasumpon Street,
Tirunagar - 625 006,
Madurai City rep. by the Secretary.
5. G.Mohan
- 6.Gopichandra Mohana
- 7.Chandurvelan Vadivelu



8. Shri.M.Vallinayagam,B.A.,B.L.,
(Court appointed officer in W.P.(MD)No.17444 of 2019),
Sr. Advocate,
677, Karpaga Nagar, 8th Street,
K.Pudur, Madurai 625 007.

...Respondents

WEB COPY

Prayer: Writ petition is filed under Article 226 of the Constitution of India, Praying to issue a Writ of Mandamus, directing respondents 1, 2 and 3 to take effective action upon the petitioner's representation dated 16.05.2020 and ensure the effective administration of 'Indira Gandhi College for Women Committee(a Society registered under the Tamil Nadu Societies Registration Act, 1975) and the Indira Gandhi Memorial Matriculation Higher Secondary School run by the society and appoint a special officer to take over the administration of 'Indira Gandhi College for Women Committee(a society registered under the Tamil Nadu Societies Registration Act, 1975).

For Petitioners : Mr.N.Dilip Kumar

O R D E R

Heard the learned counsel appearing for the writ petitioners.

2. The petitioners are claiming that they are having interest in the proper running of the petition mentioned society. The petitioners therefore want this Court to direct the authorities to take action on their representation for appointing a special officer to take over the administration of the petition mentioned society. I am afraid that I may not be in a position to take up the issue on merits. This is because the society had already filed W.P.(MD) No.17444 of 2019 before this Court and vide order dated 26.02.2020, some directions have been passed for convening the general body and for conducting the election. While disposing the writ petition, the learned Judge had observed that if the officer of the Court or any of the party are of the view that the order had been passed ignoring certain facts which would be materially affect the election process, it is open to them to seek clarification, so that the election will be conducted in a fair manner.

3. The learned counsel states that the petitioners cannot take advantage of this observation.

4. I am of the view that it is for the petitioner to file a miscellaneous petition in the said writ petition or apply for a review or if aggrieved, file a writ appeal. Only one of the three courses of actions can be taken recourse. Filing this writ petition does not appear to be correct.

5. I reiterate that I have not gone into the merits of the
<https://hcservices.ecourts.gov.in/hcservices/>



matter. Giving liberty to the petitioners to work out their rights in accordance with law, the writ petition stands dismissed, accordingly. No costs. Consequently, connected MP is closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

pmu

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

1. The Government of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Commercial Taxes and Registration, (M1) Department,
Fort St. George, Secretariat,
Chennai - 600 009.
2. The Inspector General of Registration,
O/o.The Inspector General of Registration,
No.100, Santhome High Road,
Chennai - 600 028.
3. The District Registrar(Societies),
O/o.The District Registrar,
Madurai(South), Madurai.

W.P. (MD)No.7523 of 2020

13.07.2020

KB(24.08.2020) 3P 4C