



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.09.2020

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

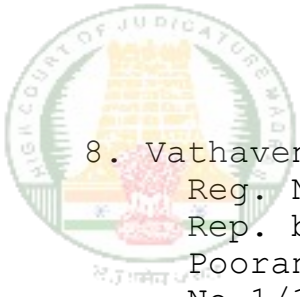
W.P. (MD)No.8829 of 2020 and
W.M.P. (MD)No.8097 of 2020

Vathaveneri Makkal Munnetra Nala Sangam,
(Reg.No.93/2020),
Rep. by its President,
R.Murugesan.

... Petitioner

Vs.

1. The Inspector General of Registration,
Santhom, Chennai - 600 004.
2. The District Registrar,
(Administration),
Sivagangai,
Sivagangai District.
3. The District Collector,
Ramanathapuram,
Ramanathapuram District.
4. The Superintending Engineer,
PWD(WRO),
Sivagangai District,
Sivagangai.
5. The Executive Engineer,
PWD(WRO),
Paramakudi,
Ramanathapuram District.
6. The Assistant Engineer,
Elayankudi,
PWD(WRO),
Elayankudi,
Sivagangai District.
7. The Tahsildar,
Paramakudi Taluk,
Ramanathapuram District.



8. Vathaveneri Kanmai Pasanathararkal Nala Sangam,
Reg. No.76/2020,
Rep. by its President,
Pooranam,
No.1/123, Vathaveneri Village,
Karadaranthakudi Post,
Paramakudi Taluk,
Ramanathapuram District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing respondents 1 and 2 to cancel the registration of the eighth respondent Association bearing No.76/2020 registered under the Tamil Nadu Societies Registration Act, 1975 by considering the petitioner's representation dated 16.07.2020.

For Petitioner : Mr.K.Baalasundharam

For R-1 & R-2 : Mr.V.Anand,
Government Advocate.

For R-3 to R-7 : Mr.M.Rajarajan,
Additional Government Pleader.

For R-8 : No appearance.

O R D E R

Heard the learned counsel appearing for the writ petitioner and the learned Government Advocate appearing for respondents 1 and 2 and the learned Additional Government Pleader appearing for respondents 3 to 7.

2. Though the eighth respondent has been served and its name is also printed in the cause list, there is no representation on its behalf.

3. The petitioner is a society registered under the provisions of the Tamil Nadu Societies Registration Act, 1975. The petitioner wants the registration of the eighth respondent to be cancelled. The petitioner points out that some serious irregularities had taken place in the matter of election.

4. I am of the view that these contentious issues need not be gone into. I have already held in W.P.(MD)No.6755 of 2020 and batch of cases vide order dated 02.09.2020 that there can be only one umbrella organisation, namely, Water Users Association constituted under Section 4 of Tamil Nadu Act 7 of 2001. Of course the managing committee will have to be elected periodically. Since the election



of the managing committee was not conducted, the authorities allowed such rival societies to be formed.

5. In view of the aforesaid Judgment, the Department cannot deal with such privately formed societies. The authority can only deal with the duly formed organisations. Since such Judgment has already been rendered by this Court, the existence of the eighth respondent cannot have any legal consequence. Of course in the case on hand, Kudimaramath works appear to have been substantially completed and there has also been subsequent disbursement of funds. In the aforesaid Judgment, I had already held that there is no need to interfere with what has already happened. The guidance is only for the future.

6. With this observation, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

// 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 Inspector General of Registration,
Santhom, Chennai - 600 004.
2. The District Registrar(Administration),
Sivagangai, Sivagangai District.
3. The District Collector,
Ramanathapuram, Ramanathapuram District.
4. The Superintending Engineer,
PWD(WRO), Sivagangai District, Sivagangai.



5. The Executive Engineer,
PWD(WRO), Paramakudi, Ramanathapuram District.

6. The Assistant Engineer,
Elayankudi, PWD(WRO), Elayankudi,
Sivagangai District.

7. The Tahsildar,
Paramakudi Taluk, Ramanathapuram District.

8. Vathaveneri Kanmai Pasanathararkal Nala Sangam,
Reg. No.76/2020,Rep. by its President,Pooranam,
No.1/123, Vathaveneri Village,
Karadaranthakudi Post, Paramakudi Taluk,
Ramanathapuram District.

+1 CC to M/s.GP (SR-17974[F] dated 24/09/2020)

W.P.(MD)No.8829 of 2020

22.09.2020

NR (01.10.2020) 4P 10C