



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2021

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.16058 of 2013

&

M.P.No.1 of 2013

Marudam Kudiyiruppu Welfare
Association,
Represented by its President
D.Baskar, S/o. Devaraj,
Thiruverkadu Main Road,
L12/15 LIG, Tamil Nadu Housing Board,
Ayyappakkam,
Chennai - 600 077.

... Petitioner

Vs.

1.The Inspector General
O/o. Inspector General of Registration
Santhome High Road,
Chennai - 600 028.

2.The District Registrar,
North Chennai,
Chennai - 600 001.

3.The Managing Director,
Tamil Nadu Housing Board,
Nandanam,
Chennai - 600 035

4.The Executive Engineer /
Administrative Officer,
Tamil Nadu Housing Board,
J.J.Nagar Division,
Thirumangalam,
Chennai - 600 101.

5.The President,
Sathyam Kudiyiruppu Welfare Association,
L-12/8, Tamil Nadu Housing Board Apartments,
Thiruverkadu Main Road,
Ayyappakkam,
Chennai - 600 077.

... Respondents

Prayer : Writ Petition is filed under Article 226 of the
Constitution of India to issue a Writ of Mandamus or other
appropriate writ, order or direction in the nature of Writ,



directing the 1st respondent to dispose the petitioner's appeal dated 06.06.2013 pending against the order of the 2nd respondent.

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For Petitioner : M/s.S.V.S.Ilamvazhuthi
For Respondents 1 & 2 : Mr.C.Jayaprakash
For Respondents 3 & 4 : Mr.R.Bharath Kumar
For Respondent 5 : Mr.P.Mohan

O R D E R

The relief sought for in the present Writ Petition is to direct the 1st respondent to dispose of the appeal filed by the petitioner on 06.06.2013. The copy of the appeal dated 06.06.2013 reveals that the petitioner raised certain grounds for the purpose of canceling the registration of the 5th respondent Welfare Association. The petitioner is also the Welfare Association of the same scheme and the appeal was filed in the year 2013, now seven years lapsed.

2. The learned counsel for the Housing Board brought to the notice of the Court that the Tamil Nadu Housing Board handed over the maintenance of the building to the Welfare Associations and the Welfare Associations are now looking after the maintenance of the Flats by collecting maintenance charges.

3. However, this Court is of the considered opinion that the dispute between the petitioner and the 5th respondent Association is of civil in nature and therefore the Writ Proceedings need not to be entertained. If at all, disputes between the two Welfare Associations are to be resolved in the manner known to law before the competent forum / Civil Court of law. However, such an adjudication cannot be entertained in the Writ Petition under Article 226 of the Constitution of India.

4. Thus, the petitioner is at liberty to approach the competent Court of law for the purpose of redressal of grievances. Accordingly, the Writ Petition stands disposed of. Consequently, connected Miscellaneous Petition is also closed. No costs.

Sd/-

Assistant Registrar (CS-IV)

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Chennai - 600 101.

+1cc to Mr.R.Bharath Kumar, Advocate SR. No.58797

+1cc to M/s.S.V.S.Ilamvazhuthi, Advocate SR. No.58443

+1cc to the Government Pleader SR. No.58869

W.P.No.16058 of 2013

PVS (CO)

PR (01/12/2021)