



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.10.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.Nos.33244 and 33245 of 2015
and
M.P.No.1 of 2015

Mrs.T.Rajamani

...Petitioner in Both W.P.'s

Vs

1. The Union of India,
Represented by its Secretary,
Ministry of Corporate Affairs,
5th Floor "A" Wing,
Shastri Bhavan,
Rajendra Prasad Road,
New Delhi.
2. The Registrar of Companies,
Office of the Registrar of Companies,
2nd Floor, Shastri Bhavan,
No.26, Haddows Road,
Chennai 600 006.
3. Madras Cricket Club,
Represented by its Secretary,
1, Babu Jagjivan Road,
Chepauk,
Chennai 600 005.

... Respondents in Both W.P.'s

PRAYER in W.P.No. 33244 of 2015 : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to ensure that the Articles of the Third Respondent Club, including Article IX(4), are in accordance with the Companies Act, 2013.

PRAYER in W.P.No. 33245 of 2015 : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of declaration that the action of the Third Respondent Club in denying Invitation Membership to the petitioner on the ground that she is a married woman, is arbitrary, illegal and unconstitutional.



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For Petitioner
in both WPs.

:Mr.R.Parthasarthy

For Respondents
in both WPs.

:Mr.B.Rabu Manohar
Senior Central Government
Standing Counsel
[For R1 and R2]

Mrs.Sharanya Vaidyanathan
for Mr.S.Raghunathan
[For R3]

COMMON ORDER

The relief sought for in WP No.33244 of 2015 is to direct the second respondent to ensure that the Articles of the Third Respondent Club, including Article IX(4), are in accordance with the Companies Act, 2013. Further, in WP No.33245 of 2015, the petitioner has sought for a declaration, that the action of the Third Respondent Club in denying Invitation Membership to the petitioner on the ground that she is a married woman, is arbitrary, illegal and unconstitutional.

2. The learned counsel appearing on behalf of the petitioner states that the third respondent / club is performing certain public duties and therefore, he has a locus standi to file a complaint against the third respondent. However, the issues raised in this writ petition cannot be adjudicated in a writ proceedings, as such disputed issues are to be adjudicated before the competent authority based on documents and evidences.

3. Therefore the relief as such sought for cannot be granted. However, the petitioner is at liberty to approach the second respondent by filing appropriate complaint or otherwise, for the purpose of redressing her grievances, in the manner known to law.

4. Accordingly, the writ petitions stand disposed of. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

nti/ars



To

1. Secretary,
The Union of India,
Ministry of Corporate Affairs,
5th Floor "A" Wing,
Shastri Bhavan,
Rajendra Prasad Road,
New Delhi.
2. The Registrar of Companies,
Office of the Registrar of Companies,
2nd Floor, Shastri Bhavan,
No.26, Haddows Road,
Chennai 600 006.
3. The Secretary,
Madras Cricket Club,
1, Babu Jagjivan Road,
Chepauk,
Chennai 600 005.

+1cc to Mr.S.Raghunathan, Advocate, S.R.No.51925

+2ccs to Mr.B.Rabu Manohar, Advocate, S.R.No.51895, 51896

W.P.Nos.33244 and 33245 of 2015

GPL(CO)
SU(26/10/2021)