



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2021

CORAM :

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No. 25640 of 2021

&

W.M.P.No. 27072 of 2021

Sri Poondi Mahan Attru
Swamigal Ashrama Committee

... Petitioner

-Vs-

1. The District Registrar of Societies,
Office of District Registrar of Societies,
No. 5/1, ICICI Bank 1st Floor,
Durgai Ammal Kovil Street
Tiruvannamalai Taluk
Tiruvannamalai - 606601

2. Mr. V. Ganesan

3. Mr. S. Balamurugan

4. Mr.B. Santhosh

5. Mr. B. Dhamodharan

... Respondent

Writ Petition under Article 226 of the Constitution of India
praying for the issuance of a Writ of Mandamus or any other
writ, directing the 1st respondent to take action on the
petitioner's representation dated 26.8.2020 against the 2 to 5
respondents herein.

For Petitioner : Mr. N.Kumar Rajan

For Respondent R1 : Mr. B.Vijay
Additional Government Pleader

For Respondents
R2 to R5 : No Appearance



O R D E R

This writ petition is filed for the issuance of a Writ of Mandamus or any other writ, directing the 1st respondent to take action on the petitioner's representation dated 26.8.2020 against the 2 to 5 respondents herein.

2. The petitioner is an office bearer of the said society and the said society is registered under the Societies Registration Act on 05.08.1985. The private respondent misrepresenting himself to be an office bearer of the society collected huge money from various persons for which the petitioner made a representation to the 1st respondent to take action against the private respondent. No action was taken. Hence the present writ petition is filed.

3. Learned Counsel for the petitioner submitted that this Court may issue a direction to the 1st respondent to consider the representation and pass appropriate orders.

4. Mr.B.Vijay, learned Addl. Government Pleader for the 1st respondent submitted that there is no official relationship in between the 1st respondent and the private respondent and the petitioner and therefore, no action can be taken by the 1st respondent.

5. Taking into consideration the facts for the case. Since the dispute is private in nature between the petitioner and the private respondent, the remedy available to the petitioner is only before the competent Civil Court or Criminal Court without exhausting the remedy available filing writ petition under Article 226, is not maintainable.

6. Accordingly, this Writ petition is dismissed. Connected miscellaneous petition is closed. Liberty is granted to the petitioner to work out his remedy in a manner known to law.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1. The District Registrar of Societies,
Office of District Registrar of Societies,
No. 5/1, ICICI Bank 1st Floor,
Durgai Ammal Kovil Street
Tiruvannamalai Taluk
Tiruvannamalai - 606601.

+lcc to Mr. N.Kumar Rajan, Advocate, S.R.No.63621
+lcc to the Government Pleader, S.R.No.63514

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NSK 28/12/2021