



WEB COPY

W.P.(MD)No.19692 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.01.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.19692 of 2020

and

W.M.P. (MD)No.16412 of 2020

Sivasankar

... Petitioner

Vs.

1.The District Registrar of Societies,
Virudhunagar,
Virudhunagar District.

2.The Aruppukottai Nadargal Uravinmurai Podhu Abiviruthi Trust,
Rep by its Secretary,
No.42, Big Bazaar Street,
Aruppukottai,
Virudhunagar District.

3.The Election Officers,
The Aruppukottai Nadargal Uravinmurai Podhu Abiviruthi Trust,
ANUT Marriage Hall,
Aruppukottai,
Virudhunagar District.

4.Sudhakar

5.Rajamanikam

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the 2nd respondent society's election notifications published in Malaimalar (Madurai Edition) dated 05.12.2020 and 15.12.2020 by the 3rd respondent and quash the same as illegal, arbitrarily, malafide, bias and without jurisdiction and consequently appoint as Honourable Former Justice of this Court as Administer to administer the educational institutions and the properties of the 2nd respondent society and also conduct election to the 2nd respondent society till proper and legally elected office bearers assume charge or any other appropriate writ or order or direction to the respondents.

For Petitioner

: Mr.A.Baskaran

For Respondents

: Mr.K.Sathiyasingh,

Additional Government Pleader for R1.

Mr.Arun for R2 to R5.



O R D E R

Heard the learned counsel appearing for the petitioner, the learned Additional Government Pleader appearing for the first respondent and the learned counsel appearing for the respondents 2 to 5.

WEB COPY

2.The petitioner challenges the impugned election notification issued by the second respondent/society.

3.The second respondent/society is not a State Instrumentality within the meaning of Article 12 of the Constitution of India. Therefore, I hold that the writ petition itself is not maintainable. Leaving open the rights of the parties, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ias

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:

The District Registrar of Societies,
Virudhunagar,
Virudhunagar District.

+1 CC to M/s.A.BASKARAN, Advocate (SR-31[F] dated 05/01/2021)

+1 CC to M/s.GP (SR-51[F] dated 05/01/2021)

W.P. (MD)No.19692 of 2020
04.01.2021

(SSS)CO
AP(18/01/2021) 2P 4C