



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.12.2021

CORAM

THE HONOURABLE MR.JUSTICE **C.V.KARTHIKEYAN**

W.P. (MD)No.20779 of 2021

and

W.M.P. (MD)No.18094 of 2021

G.Selvakumar

... Petitioner

vs.

1.The District Collector,
District Collectorate Office,
Virudhunagar District.

2.The District Registrar,
Virudhunagar District Society Registrar,
Virudhunagar District.

3.The Revenue Divisional Officer,
Revenue Division Office,
Sivakasi Taluk, Virudhunagar District.

4.Thiruthangal Hindu Nadar Uravinmurai,
represented by its President, M.S.Bakkiyam,
Thiruthangal. ... Respondents

(R4 impleaded as per the order of this Court in W.M.P.(MD)No.18094 of 2021, dated 03.12.2021.

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the second respondent to consider the petitioner's representation, dated 26.10.2021 to conduct election by way of vote counting to Thiruthangal Hindu Nadar Uravinmurai Sangam in accordance with law.

For Petitioner	:Mr.K.Manoharan
For R1 to R3	:Mr.S.Kameswaran
	Government Advocate
For R4	:Mr.N.Dilip Kumar

ORDER

Since allegations were made with respect to the voting procedure to Thiruthangal Hindu Nadar Uravinmurai Sangam, on the previous hearing, ie., on 27.11.2021, when the Writ Petition came up for hearing, it was felt that it would only be appropriate that



Thiruthangal Hindu Nadar Uravinmurai Sangam is impleaded as party respondent in the Writ Petition. It is to be appreciated that the said Sangam had themselves filed the above Miscellaneous Petition in W.M.P.(MD)No.18094 of 2021 seeking to participate in the present Writ Petition and claiming right to be impleaded as respondent.

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2. Since it is only appropriate that they are also heard, as the issues revolve around an election to be conducted for the said Sangam, W.M.P.(MD)No.18094 of 2021 is allowed and Thiruthangal Hindu Nadar Uravinmurai Sangam is made as the fourth respondent in the Writ Petition. The Registry may carry out necessary amendments in the Writ Petition prior to issuance of a copy of this order.

3. In the Writ Petition, the petitioner seeks a direction to consider the representation, dated 26.10.2021, which he gave to the second respondent/District Registrar, Virudhunagar District Society Registrar, Virudhunagar District. In the representation, dated 26.10.2021, a copy of which has been filed along with Writ Petition and as a matter of fact, it is the only document annexed along with the Writ Petition, it had been stated that the petitioner reasonably expects that any election to be conducted for Thiruthangal Hindu Nadar Uravinmurai Sangam would be conducted with the votes being cast in a ballot box.

4. The petitioner claims that he is directly interested in the functioning of the Society and he has been a member of the Society for the past 15 years.

5. It is also to be mentioned that the fourth respondent Society would naturally conduct election in manner rules and regulations prescribed and if at all there had been breach of those rules, then interference would be warranted. But, it is fairly admitted by the learned Counsel for the petitioner that elections have been conducted and members have assumed office and the Society has been functioning without coming to any adverse notice to the public authorities or the members themselves.

6. It is hoped that such a position would be continue and the petitioner may rest with confidence that it would continue to prevail and that more goodwill is paramount and important for the smooth functioning of any Society. Questioning the each and every acts may not be to the benefit of any Society. The petitioner, may, therefore, be reasoned that elections would be conducted in manner prescribed and recognised by law. Any election should bring about unity among the members.

7. This Court would therefore refrain and be restrained from passing any order, which may directly or indirectly be a basis for affecting the smooth functioning of the Society. It may not be a healthy trend for Courts to interfere with internal matters of any



official, more particularly, from the 1st, 2nd and third respondents.

8.The Writ Petition, therefore, after observing as above, is dismissed. No costs.

Sd/-

Assistant Registrar(CRL SIDE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

- 1.The District Collector,
District Collectorate Office,
Virudhunagar District.
- 2.The District Registrar,
Virudhunagar District Society Registrar,
Virudhunagar District.
- 3.The Revenue Divisional Officer,
Revenue Division Office,
Sivakasi Taluk, Virudhunagar District.

+1 CC to M/s.N.DILIPKUMAR, Advocate (SR-37483[F] dated 06/12/2021)

+1 CC to M/s.SPL GP (SR-37409[F] dated 06/12/2021)

+1 CC to M/s.T.PAL PANDI, Advocate (SR-37432[F] dated 06/12/2021)

Order made in
W.P.(MD)No.20779 of 2021
03.12.2021

TP(CO)

TR(21.12.2021) 3P 7C