



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.06.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.NO.12346 OF 2022

V.Krishnan

... Petitioner

Versus

1. The Deputy Inspector General of Registration,
O/o. Deputy Inspector General of Registration,
Salem District.
2. The District Registrar (Administration),
O/o.District Registrar, Dharmapuri,
Dharmapuri District.
3. The Sub-Registrar,
Sub Registrar Office,
Morappur (PO), Dharmapuri District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue writ of Mandamus directing the 1st respondent to dispose of the petitioner's representation dated 29.07.2020.

For Petitioner : Mr.S.Kolandasamy

For Respondents : Mr.B.Vijay
Addl.G.P. for RR 1 to 3

ORDER

This Writ Petition has been filed to direct the first respondent to pass final orders on the petitioner's representation dated 29.07.2020.

2. As seen from the averments contained in the affidavit filed in support of the writ petition, the petitioner claims that he was one among a Trustee in M/s Bright Educational Trust, Morappur, Dharmapuri District. He is aggrieved by the alleged mismanagement of the aforesaid Trust by the Trustees. He has given a representation to the first respondent on 29.07.2020 requesting to prepare proper scheme of administration for



removing certain trustees and also for appointment of fresh trustees. It is also stated in the affidavit that the control of the trust was in the hands of few trustees and was not being managed properly and there was siphoning of funds by the present trustees who are managing the trust.

3. The relief sought for in the representation cannot be granted by the first respondent and if at all, the petitioner is aggrieved, he has to file a suit under Section 92 of the Code of Civil Procedure, as the Trust is a public trust. Instead of filing a suit, the petitioner has filed this writ petition, which is not maintainable in law.

4. For the foregoing reasons, this writ petition is disposed of by granting liberty to the petitioner, if so advised, to file a suit under Section 92 of the Code of Civil Procedure against the public Trust viz. M/s Bright Educational Trust.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

sr

To

1. The Deputy Inspector General of Registration,
O/o. Deputy Inspector General of Registration,
Salem District.
2. The District Registrar (Administration),
O/o. District Registrar, Dharmapuri,
Dharmapuri District.
3. The Sub-Registrar,
Sub Registrar Office,
Morappur (PO), Dharmapuri District.

+1cc to Mr.S.Kolandasamy, Advocate, S.R.No.33388
+1cc to Government Pleader, SR.NO.33558(30/06/2022)

W.P. No.12346 of 2022

SKM(CO)
PM/14/06/2022