



W.P.No.26316 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.09.2022

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THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.26316 of 2022
and
W.M.P.No.25387 of 2022

M/s Kamini Enterprises
Represented by its Proprietor Sampathu
Kamaraj Nagar, Chinna elasagiri,
Sipcot (post), Hosur,
Krishnagiri District – 635 126.

...Petitioner

Vs.

1. The Deputy Inspector General of Registration,
Collectorate, Salem – 636 001.

2. The District Registrar (Registrar of Societies)
Krishnagiri.

3. The Hosur Small and Tiny Industries Association
Represented by its Secretary, R. Vadivelu,
Office at CP-6, Sipcot Industrial complex,
Phase – II, hosur,
Krishnagiri District- 635 109.

...Respondents.

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent herein to conduct and enquiry with respect to the violation of procedure in amending the by law by



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the 3rd Respondent herein, in pursuance of his letter dated 03.08.2022 within a time frame fixed by this Hon'ble Court and pass orders.

For Petitioner : Mr.P. Dinesh Kumar

For Respondents : Mr.G. Krishna Raja
Additional Government Pleader

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the second respondent herein to conduct and enquiry with respect to the violation of procedure in amending the by law by the 3rd Respondent herein, in pursuance of his letter dated 03.08.2020.

2. The learned Additional Government Pleader takes notice for the official respondent. In view of the consent expressed by the learned counsel appearing for either side, this petition is taken up for final disposal.

3. Since, no adverse order is being passed as against the third respondent, notice to the private respondents are dispensed with.

4. The case of the petitioner is that the petitioner is a Life Member of



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the 3rd Respondent Association which is registered under the Tamil Nadu Societies Registration Act. The further case of the petitioner is that as per the bye-laws of the said society the Annual General Body Meeting and the elections will be conducted after issuing prior notice to the members of the said Association. Whiles in the year 2019 without issuing prior notice to the members and without any agenda for amending the bye-law the Annual General Body meeting was conducted on 26.09.2019. In the said Annual General Body meeting the bye-laws were allegedly have been amended, which is a clear violation. Aggrieved over the same the petitioner has given a letter/representation to the 3rd respondent on 03.08.2020. However, till date there is no response from the 3rd respondent. Hence, this writ petition is filed with the aforesaid prayer.

5. The learned counsel appearing for the petitioner submitted that the it would suffice, if this Court issues direction to the second respondent to conduct an enquiry based on the petitioner's letter/representation dated 03.08.2020 and pass orders within a reasonable time fixed by this Court.

6. Considering the limited request made by the petitioner, this Court is



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inclined to direct the second respondent to conduct an enquiry based on the petitioner's letter/representation dated 03.08.2020 and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above terms, this present writ petition is disposed of. No costs. Consequently the connected miscellaneous petition is closed.

28.09.2022

Speaking Order : Yes/ No
Index : Yes/ No

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To

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M.DHANDAPANI,J.

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