



W.P.No.21745 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2022

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.21745 of 2017

and

W.M.P.Nos.22753 & 22754 of 2017

Annai Sivagami Nagar Grama Munnetra Sangam
(Registration No.234/13),
Rep by its President,
V.Veeramuthu
S/o.Veerakalai,
No.13, 6th Street, Annai Sivagami Nagar,
Ennore, Chennai – 57.

... Petitioner

Vs

1.The Revenue Divisional Officer and
Sub Divisional Executive Magistrate,
Ambattur, Tiruvallur District.

2.The Thasildar,
Thiruvottiyur Taluk,
Tiruvallur District.

3.The Registrar of Societies,
Chennai North,
Chennai.

... Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records dated 31.07.2017 relating to the proceedings of the 1st respondent viz., The Revenue Divisional Officer, Ambattur Taluk, Tiruvallur District, quash the same and consequentially direct the respondents 1 and 2 to notify the Elections for the petitioner Society by following the Rules and Procedures prescribed by the Tamil Nadu Societies Registration Act and the Bye-laws of the Petitioner Society.

For Petitioner	: No Appearance
For Respondents	: Mr.N.Naveen Kumar Government Advocate for R1 & R2 Mr.E.Sundaram for R3

ORDER

There is no representation on behalf of the petitioner.

2.The petitioner has challenged the proceedings of the first respondent/Revenue Divisional Officer in a peace committee meeting held on 22.06.2017, where it has been recorded that a decision has been arrived in the peace committee meeting. As per the aforesaid peace committee meeting the last date of election was 20.08.2017.



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3.The petitioner had filed this writ petition on 11.08.2017. However, the petitioner has not secured any order from this Court. It is noticed that the case came up for hearing on several occasions and that earlier on 16.08.2017, this Court had observed that since the first respondent has already notified the election which was scheduled to be held on 20.08.2017, the election process was subject to the result of the present writ petition.

4.The learned counsel for the respondents submits that the petitioner has an alternate remedy before the third respondent.

5.I have considered the arguments advanced by the learned counsel for the respondents and perused the affidavit filed in support of the present writ petition.

6.Though a detailed counter has been filed on behalf of the second and the third respondents, I am of the view that the writ petition has become infructuous due to efflux of time, as the election was to be held once in three years, even as per the averments in para 3 of the affidavit filed in support of the



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present writ petition. The relevant portion of the counter affidavit filed in support of the present writ petition reads as under:-

“3.It is respectfully submitted that the above writ petition has been filed herein praying this Court to issue writ of Certiorarified Mandamus or any other appropriate Order or direction in the nature of writ, to call for the records dated 31.07.2017 relating to the proceedings of the first respondent viz. The Revenue Divisional Officer, Ambattur Taluk, Tiruvallur District, quash the same and consequently direct the respondents 1 and 2 to nullify the Elections for the petitioner Society by following the Rules and Procedures prescribed by the Tamil Nadu Societies Registration Act and the Bye-laws of the Petitioner Society.”

7.Considering the fact that the election was held on 20.08.2017, the period would have expired letter by 19.08.2020. Now we are in November -2022. Thus, this writ petition has become as infructuous and is therefore liable to be dismissed as infructuous.

8.Accordingly, this writ petition is dismissed as infructuous. No costs. Consequently, connected miscellaneous petitions are closed.

04.11.2022

Index: Yes/ No

Internet : Yes/No



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C. SARAVANAN, J.

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