



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.04.2022

CORAM

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.6359 of 2022

and

W.M.P. (MD)No.4963 of 2022

WEB COPY

- 1.M/s.Nadar Mahajana Sangam,
represented by its General Secretary,
No.2, South Chithirai Street,
Madurai - 625 001.
- 2.M/s.Nadar Mahajana Sangam
Sa.Vellaichamy Nadar Kalloori Peravai,
represented by its Secretary,
Nagamalai Pudukottai, Madurai - 625 019.
- 3.M/s.Nadar Mahajana Sangam
Kamaraj Polytechnic Paripalana Sabai,
represented through its Secretary,
Madurai - 625 001. ... Petitioners

vs.

- 1.The Deputy Inspector General of Registration,
Integrated Complex of Registration Department,
TNAU Nagar, Rajakampeeram,
Othakadai, Madurai - 625 107.
- 2.The District Registrar (Administration),
District Registrar Office,
Madurai (South), Madurai.
- 3.N.Rajkumar
- 4.T.Rajkumar
- 5.T.Sekaran ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, to call for the records relating to the impugned order passed by the second respondent in his proceedings in Na.Ka.No.2627/E1/2022 dated 31.03.2022 and quash the same as illegal, arbitrary, without jurisdiction and in violation of principles of natural justice.

For Petitioners :Mr.B.Saravanan

For R1 and R2 :Mr.Veerakathiravan
Additional Advocate General
assisted by Mr.S.Shanmugavel
Additional Government Pleader



For R5

:Mr.M.Ajmal Khan, Senior Counsel
for M/s.Ajmal Associates

ORDER

WEB COPY The present dispute pertains to the Societies by name, M/s.Nadar Mahajana Sangam, M/s.Nadar Mahajana Sangam Sa.Vellaichamy Nadar Kalloori Peravai and M/s.Nadar Mahajana Sangam Kamaraj Polytechnic Paripalana Sabai.

2.All the respective Counsels have now filed a joint memo, dated 07.04.2022 agreeing for the appointment of Hon'ble Mr.Justice N.Kirubakaran, a former Judge of this Court, as an Election Officer to conduct election to the petitioner Societies. The terms of the joint memo, dated 07.04.2022 reads as follows:

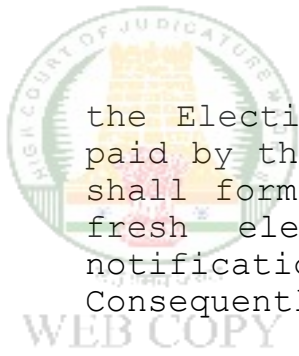
"It is submitted that the writ petitioner filed above writ petition challenging the impugned order passed by the second respondent dated 31.03.2022. When the matter came up for hearing today before this Hon'ble Court, the petitioners, the official respondents and the private respondents have consented to conduct the election for the petitioners Societies by appointing His Lordship Hon'ble Mr.Justice N.Kirubakaran, (Retired) as officer of the court. This Hon'ble Court may be pleased to take the joint memo filed by the parties to the writ petitions and pass appropriate orders.

Therefore it is prayed that this Hon'ble Court may be pleased to appoint His Lordship Hon'ble Mr.Justice N.Kirubakaran (Retired) as officer of the court to conduct election to the petitioners societies and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

1.The learned retired Judge shall conduct the election in accordance with the bye-laws of the petitioner Society.

2.The parties do hereby agree that the payment of Rs.100 (Rupees Hundred only) shall not be insisted as a condition for casting vote."

3.In terms of the joint memo, dated 07.04.2022, this Writ Petition is disposed of. The petitioner Societies shall jointly pay the initial remuneration of Rs.3,00,000/- (Rupees Three Lakhs) to Hon'ble Mr.Justice N.Kirubakaran, former Judge of this Court, who is appointed as Election Officer. The Election Officer shall be provided with travelling, boarding and lodging facility befitting his stature. The Election Officer can seek the assistance of two Advocates of his choice, who shall be paid remuneration as fixed by



the Election Officer. The said remuneration shall also be jointly paid by the petitioner Societies. The joint memo, dated 07.04.2022 shall form part of this order. The Election Officer shall issue a fresh election notification instead of the earlier election notification issued by the petitioner Societies. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CO)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

cmr

Encl.: xerox copy of Joint Compromise memo.

To

1. The Hon'ble Mr.Justice N.Kirubakaran, former Justice Election officer,
Residing at: No.36, 2nd Cross Street,
Rayola Nagar Ramapuram,
Chennai - 600 089.

2. The Deputy Inspector General of Registration,
Integrated Complex of Registration Department,
TNAU Nagar, Rajakampeeram,
Othakadai, Madurai - 625 107.

3. The District Registrar (Administration),
District Registrar Office,
Madurai (South), Madurai.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-17430[F] dated 08/04/2022)

+1 CC to M/s.SPL.GP (SR-17484[F] dated 08/04/2022)

+1 CC to M/s.B. SARAIVANAN, Advocate (SR-17593[F] dated 08/04/2022)

Order made in
W.P.(MD)No.6359 of 2022
07.04.2022

sj(CO)

TR(08.04.2022) 3P 7C