



W.P(MD)No.22599 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 15.07.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.22599 of 2021

Sri Saramariamman Kovil Theru Thevar
Mahajana Sangam,
Rep. by its Secretary,
S.Sankaralingam

... Petitioner

Vs.

- 1.The District Registrar,
District Registrar Office,
Tirunelveli.
- 2.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.
- 3.The Inspector of Police,
Kovilpatti East Police Station,
Thoothukudi District.
- 4.Sembukutti Thevar
- 5.Chinnaraj
- 6.Komupandian
- 7.Senthilkumar
- 8.Saramariyappan

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondent Nos.1 to 3 to take necessary action to conduct the election of our association namely, Sri Saramariamman Kovil Theru Thevar Mahajana Sangam, Kovilpatti, in a peaceful manner by providing necessary police protection by considering the petitioner's representation dated 12.12.2021 within a stipulated time in accordance with law.

For Petitioner : Mr.M.Prabhu

For Respondents : Mr.K.S.Selvaganesan,
Addl. Government Pleader for R1 to R3.
Mr.S.Siva Ilayaraja for R4 to R8

ORDER

Heard the learned counsel on either side.

2.The writ petitioner is a registered society. The last election was held in the year 2017. The term of the executive committee ended in 2020. On account of the pandemic, the tenure was extended. As per Section 15 of the Tamil Nadu Society Registration Act, once in three years election must be conducted. The learned counsel on either side inform the Court that this Court can direct the holding of an election and even an independent observer can be appointed.



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3.Since there is consensus on either side, I appoint Mr.I.Erulappan, 37, Lawyers Chamber, High Court Buildings, Madurai Bench. (Mobile No:94437 22324) as the election officer. The members list of the year 2017 will be the voters list subject to the deletion of those who are no more. The election office shall cause paper publication and after giving 21 days notice, hold the election. The first respondent will also be informed of the holding of the election. The first respondent shall depute an observer to oversee the election process. The entire excise shall be completed within a period of eight weeks from the date of receipt of a copy of this order. The election officer is granted an honorarium of Rs.25,000/-. The said amount can be withdrawn from the funds of the society. The election officer can also requisition the aid of the jurisdictional police and they are mandated to provide the necessary bandobast arrangement.

4.The writ petition is allowed on these terms. No costs.

15.07.2022

Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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