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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2023

CORAM

THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.4713 of 2023

- 1.V.Ganesan
- 2.M.Radhakrishnan
- 3.K.Ramakrishnan
- 4.R.Vasantha
- 5.Valluvan

.. Petitioners

Vs.

- 1.The Principal Secretary to the Government of Tamil Nadu,
Department of Commercial Taxes and Registration,
Fort St. George,
Chennai – 600 005.
- 2.The Registrar of Societies of Tamil Nadu,
(in the grade of Assistant Inspector General of Registration)
South Chennai Registration District,
Chennai – 600 035.
- 3.The Indian Medical Association,
Tamil Nadu State Branch,
Rep.by its President,
TNSB Building,
Doctors colony via Bharathi Nagar,
1st Main Road, opp.Mudichor Road,
Tambaram,
Chennai – 45.



4.The Honorary State Secretary,
Indian Medical Association,
Doctors colony via Bharathi Nagar,
1st Main Road, opp.Mudichor Road,
Tambaram,
Chennai – 45.

5.The Honorary Secretary General,
Indian Medical Association,
IMA House,
Indraprasatha marg,
New Delhi – 110 002.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to conduct enquiry and pass appropriate orders in pursuant to a complaint dated 25.05.2022 given by the petitioner to the 1st respondent which was forwarded to the 2nd respondent and now pending on the file of the 2nd respondent within a stipulated time.

For Petitioner

.. Mr.T.P.Prabakaran

For R1 & R2

.. Mr.U.Bharanidharan,
Additional Government Pleader

For R3 & R4

.. Ms.Sanjana Grace Varma
For M/s.AAV.Partners



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ORDER

This writ petition has been filed in the nature of a Mandamus, seeking a direction to the 2nd respondent to conduct an enquiry and pass appropriate orders pursuant to a complaint dated 25.05.2022 which has been given by the petitioners to the 1st respondent which was forwarded to the 2nd respondent.

2. There are five doctors who had an occasion to go before the 2nd respondent / Registrar of Societies of Tamil Nadu, Chennai South District. They were aggrieved over the functioning of the 3rd respondent / the Indian Medical Association, Tamil Nadu State Branch, Chennai. They given a representation dated 25.05.2022 stating that action should be taken against the 3rd respondent.

3. It is also fairly admitted by the learned counsel for the petitioners that the 2nd respondent had also issued a notice dated 23.06.2022 to the petitioners.



4.I am confident that the 2nd respondent in the midst of whatever official work he has, would also examine the complaint given by the petitioners herein and pass appropriate orders. The only indication that the Court can give is that, the 2nd respondent should adhere to the principles of natural justice, give an opportunity to all concerned to present their views and hear out those views and then pass a considered order, on or before 30.06.2023.

5.There is a counsel who also represented the 3rd and 4th respondents, though notice had not been issued. The presence is noted.

6.With the above observations, this Writ Petition is disposed of. No costs.

20.02.2023

Index:Yes/No
Internet:Yes/No
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C.V.KARTHIKEYAN,J.

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