



W.P.No.9391 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:27.03.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.9391 of 2023

G.M.Rajamanickam

.....Petitioner

Vs

1. The Registrar of Societies,
District Registrar Office,
Syrian Church Road,
Corporation Marriage Hall,
Coimbatore 641 001.

2. The R.S.Puram Club,
Rep.by its Secretary Mr.N.N.Balasubramanian,
No.1, Subramanian Road, R.S.Puram,
Coimbatore-641 002.

.....Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus or any other writ in the nature of a writ of Mandamus directing the 1st Respondent to conduct the enquiry on the representations dated 24.02.2023 made by the petitioner to the 1st Respondent.



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For petitioner : M/s. S.V.Pravin Rathinam

For Respondents : Mr.K.M.D.Muhilan,

Additional Government Pleader for R1.

ORDER

This Writ Petition has been filed for a direction to the 1st respondent to conduct enquiry based on the representation dated 24.02.2023 made by the petitioner.

2. Mr.K.M.D.Muhilan, learned Additional Government Pleader takes notice for the 1st respondent.

3. It is the case of the petitioner that he was issued with show cause notice alleging the petitioner to have committed irregularities in the 2nd respondent club while acting as the Secretary. Though the petitioner had sent a reply to the 2nd respondent, without considering the same, a suspension order dated 09.10.2022 was issued to the petitioner. On 24.02.2023, the petitioner made a representation to the 1st respondent stating that the false allegations have been levelled against the petitioner and the enquiry may be conducted on the same. However, till date, no action has



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been taken on the said representation. Hence, this Writ Petition.

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4. Learned counsel for the petitioner submits that the petitioner had not committed any irregularities as alleged by the 2nd respondent, however, due to some private dispute between the petitioner and 2nd respondent Club, such false allegations have been levelled against the petitioner. Hence, this Court may direct the 1st respondent to conduct the enquiry with regard to the administration of the club by considering the representation made by the petitioner and pass appropriate orders on merits.

5. On the above contention, this Court heard the learned Additional Government Pleader appearing for the 1st respondent and perused the materials available on record.

6. A perusal of the materials available on record reveal that the issued involved in the present case pertains to the administration of the club which is purely a private dispute between the petitioner and the 2nd respondent. Therefore, the same cannot be decided by this Court under Article 226 and the proper course open for the petitioner is to approach the



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competent civil court. Hence, liberty is granted to the petitioner to work out his remedy before the competent Civil forum.

7. Accordingly, this Writ Petition is dismissed with the aforesaid liberty. There shall be no order as to costs.

27.03.2023

Index : Yes/No

Internet : Yes

NHS

To

The Registrar of Societies,
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M.DHANDAPANI, J

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