



WEB COPY



W.P.No.27826 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2023

CORAM

**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM**

W.P.No.27826 of 2016

and

W.M.P.Nos.24002 & 28932 of 2016 & 1752 of 2023

Tiruchengode Taluk,  
Kongu Vellalar Sangam,  
Rep. by its Secretary Mr.M.Gurusamy,  
Reg. Office at No.23 & 24,  
Tank Street, CHB Colony,  
Velur Road, Thiruchengode,  
Namakkal District.

...Petitioner

-Vs-

1. District Registrar (Administration),  
Namakkal District Registration Office,  
Namakkal District.

2. N.Nateasan

...Respondents

(R2 impleaded vide order dated 07.11.2022 made in  
WMP.28434/2016 in WP.2782/2016 by CSNJ)

**Prayer:-** Writ petition filed under Article 226 of the Constitution of India  
praying for issuance of a writ of Certiorari, calling for the records of the  
respondent in Order/Proceedings in Na.Ka.No.6387/C/2015 dated  
22.6.2016 and 20.7.2016 quash the same.



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For Petitioners : Mr.P.Mohanraj  
For Respondents :  
(for R1 to R3) : Mr.T.Arun Kumar, AGP  
(for R4) : Mrs.G.Devi

### **ORDER**

The relief sought in the present writ petition is to call for the records of the respondent with reference to the order dated 22.06.2016 and 20.07.2016 and quash the same.

2.The order dated 22.06.2016 relates to the show cause notice issued by the District Registrar (Administration) for conducting inquiry under the provisions of the Tamil Nadu Societies Registration Act. The final order dated 20.07.2016 reveals that the then-existing Office Bearers will continue as Office Bearers in the petitioner society and the Office Bearers were restrained from taking any decision in the policy of the matters.

3.Admittedly, the period of the Office Bearers expired and no election was conducted subsequently. It is needless to state that as per the bye-laws, the elections have to be conducted on completion of the tenure



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period, and in the present case, the election was not conducted due to the pendency of the writ petition before this Court. Thus, the petitioners are bound to conduct election in accordance with the bye-laws and by following the procedures as contemplated.

4.The District Registrar (Administration)/first respondent shall call for the entire records relating to the functioning of the petitioner society and conduct an inquiry, to inspect whether it is functioning in accordance with the provisions of the Societies Registration Act or not. If any violation or otherwise is found in its functioning, then all appropriate actions are to be initiated. At the outset, the petitioner society has to conduct an election in accordance with the bye-laws and the Act and all other requirements under the provisions of the Society Registration Act also to be complied with.

5.The District Registrar shall call for the Account Books, Audit Report etc., of the petitioner/Sangam and verify the same whether it is in accordance with the provisions of the Act or not. Regarding any dispute, if any arises for the conduct of the election, the parties are at liberty to approach the District Registrar (Administration) for conducting a free and



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fair election. The election shall be conducted within a period of three months from the date of receipt of a copy of this order.

6.With these directions, the writ petition stands **disposed of**. No costs. Consequently, connected miscellaneous petitions are closed.

(sha)  
Index : Yes/No  
Speaking / Non Speaking Order  
Neutral Citation : Yes/No

20.03.2023  
(2/2)

To

District Registrar (Administration),  
Namakkal District Registration Office,  
Namakkal District.



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**S.M.SUBRAMANIAM. J.,**

(sha)

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