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W.P.No.12721 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2023

CORAM

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.12721 of 2023

and

WMP.No.12521 of 2023

S.Ilangovan

...Petitioner

Vs.

1. The District Registrar of Society,
Erode, Erode District.
2. Federation of All Civil Engineers Association,
Of Tamil Nadu Association of Tamil Nadu & Puducherry,
Rep. by its President Er.Ravi,
Having office at: D.No.178/1, Palayapalayam,
Perundurai Road, Erode,
Erode District, Pin - 638 102.
3. Federation of All Civil Engineers Association,
Of Tamil Nadu Association of Tamil Nadu & Puducherry,
Rep. by its Vice President Er.Rajesh,
Having office at: D.No.178/1, Palayapalayam,
Perundurai Road, Erode,
Erode District, Pin - 638 102.
4. Federation of All Civil Engineers Association,
Of Tamil Nadu Association of Tamil Nadu & Puducherry,
Rep. by its State Secretary Er.Kolandaivelu,
Having office at: D.No.16/3, Kalamman Kovil Street,



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5. Er.N.Raraju
Federation of All Civil Engineers Association,
Of Tamil Nadu Association of Tamil Nadu & Puducherry,
Rep. by its Election Officer,
Proprietor : Namagire Engineering Consultancy,
Having office at: D.No.C-1, Kamalalayam,
Perumal Koil Street, Swarnapuri, Slaem,
Salem District, Pin - 636 004. ...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to consider the representation of the petitioner dated 08.04.2023 and enquire into the matter and after renewal of the sangam to hold election as per Societies Registration Act by appointing a election officer under the supervise of Registrar Society Erode District under section 36 of the Societies registration Act 1975 in accordance with law to secure ends of justice.

For Petitioner : Mr.R.Sankarasubbu

For Respondents : Mr.M.Alagu Goutham, GA, for R1

ORDER

The petitioner has filed this Writ petition seeking issuance of a Writ of Mandamus to direct the 1st respondent to consider the petitioner's representation dated 08.04.2023 and dispose of the same.

2. Mr.M.Alagu Goutham, learned Government Advocate takes notice



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on behalf of the 1st respondent. In view of the consent expressed by the learned counsel on either side, this petition is taken up for final disposal.

3. Since no adverse order is being passed against the respondents 2 to 5, notice to the respondents 2 to 5 is dispensed with.

4. The case of the petitioner is that he claims to be the Regional Chairman of Federation of all Civil Engineering Association Tamil Nadu & Puducherry and the said association is having 8000 civil engineer members and there are eleven region and 91 sangams. While so, the petitioner made a representation dated 08.04.2023 before the 1st respondent, with regard to the undemocratic election violating the Societies Registration Act and the mismanagement conducted by the officials of the said Association. However, till date, the same was not considered and no action has been initiated against the violators. Hence, this Writ petition.

5. Though very many grounds have been raised, learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the 1st respondent to consider the petitioner's representation dated 08.04.2023, enquire into the matter and to consequently hold election as per



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Societies Registration Act by appointing a election officer under the supervise of Registrar (Societies), after renewal of the Sangam, as expeditiously as possible.

6. Learned Government Advocate appearing for the 1st respondent has no serious objection for the said order being passed.

7. Considering the limited request made by the learned counsel for the petitioner, this Court without expressing any opinion on the merits of the case, directs the 1st respondent to consider the petitioner's representations dated 08.04.2023 on merits and in accordance with law and pass appropriate orders, within a period of four weeks from the date of receipt of a copy of this order, after affording an opportunity of personal hearing to the petitioner and aggrieved persons, if any.

8. Accordingly, this Writ petition stands disposed of. No costs. Consequently, connected Miscellaneous petition is closed.

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Speaking Order : Yes/ No
Index : Yes/ No

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M.DHANDAPANI., J.

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