



W.P.(MD) No.19730 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.08.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

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Maravar Pothu Uravinmurai Peraiyur,
represented through its President,
G.Karuppaiah,
S/o. Gurusamy,
No.1-1-149, Maravar Chavadi,
Peraiyur,
Madurai 625 703.

... Petitioner

/vs./

- 1.The Superintendent of Police,
Madurai District, Madurai.
- 2.The Inspector General of Police,
South Zone, Madurai.
- 3.The Deputy Superintendent of Police,
Peraiyur Division, Peraiyur, Madurai District.
- 4.The Inspector of Police,
F1 Police Station,
Peraiyur, Madurai District.
- 5.K.K.G.Kamatchi



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6.K.K.M.Muthuvel
7.Sargunam
8.Muthuramalingam
9.Muthukrishnan
10.Kaliraj @ T.M.Kali

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the Respondents 3 and 4 afford necessary police protection to the office of association under name style of Maravar Pothu Uravinmurai, Peraiyur, which is functioning at 1-1-149, Maravar Chavadi, Peraiyur, Madurai District in consonance with the order passed by the District Registrar, Madurai vide Proceedings No.319-2/E-1/2019 dated 15.05.2019 and on the basis of the complaint dated 01.08.2023, 03.08.2023, 04.08.2023, 06.08.2023 and 08.08.2023.

For Petitioner	: Mr.T.Sivananthan
For R1 to R4	: Mr.B.Thanga Aravindh Government Advocate (criminal side)
For R6	:Mr.S.Rajasekar for M/s.Lajapathi Roy Associates

ORDER

This Writ Petition is filed under Article 226 of the Constitution of India seeking for a Mandamus to the respondents 3 and 4 police to provide protection to the petitioner association, called Maravar Pothu Uravinmurai, Peraiyur.



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2.It is submitted by the learned counsel for the petitioner that the petitioner association has been established in the year 1930 in the name and style of Maravar Pothu Uravinmurai Association to perform charities for the development/education of poor children of Maravar Community and also for general public of Peraiyur village. It is submitted further that the respondent Nos. 5 to 10 have started a parallel association with the same name, may be with the same objectives and tried to dispose the petitioner from the office of the petitioner association claiming that they are the original association, which according to the petitioner, was registered in the year 2018.

3.The petitioner association has filed a complaint before the District Registrar to cancel the registration given to the unofficial respondent Nos.5 to 10. However, the said petition was ultimately rejected on the ground that the dispute between the petitioner and the unofficial respondent Nos.5 to 10 in respect of the association is seized by the civil Court in O.S.No.54 of 2017 pending on the file of the learned District Munsif, Peraiyur.



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4.It is submitted that on 05.08.2023, the unofficial respondent Nos.5 to 10 came to the office of the petitioner association, broken the lock and took some documents and ornaments and a representation has been given to the police, but no action has been taken, thereby sought for directions to provide protection.

5.The learned Government Advocate (Crl.side) on the other hand submits that the petitioner association has sent 5 representations by post without any signature and none of the representations were submitted to the respondent police personally duly signed.

6.Mr.S.Rajasekar, learned counsel for the respondent No.6 submits that their association is the original association.

7.Considering the submissions made by the learned counsel on either side, it is clear that there are disputes between the petitioner and the unofficial respondent Nos.5 to 10 as to which are of them is the actual association and which can control the administration and the property of the association including



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the office premises and that the dispute is pending in the civil Court. Since it is alleged that the police have not taken any action on the complaints given by the petitioner association in respect of breaking the door of the office premises and lifting certain valuable documents and jewels from the office of the petitioner association by the unofficial respondent Nos.5 to 10, the petitioner association is directed to appear before the respondent police and file a fresh application, on which the respondent police are directed to attend and dispose of the same, within a period of two weeks thereafter.

8. With the above directions, this Petition is disposed of. No costs.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

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To

1. The Superintendent of Police,
Madurai District, Madurai.

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- 2.The Inspector General of Police,
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DR.D.NAGARJUN, J.

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