



W.P(MD)Nos.18331 & 18332 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.08.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)Nos.18331 & 18332 of 2015

and

M.P.(MD)Nos.1 & 1 of 2015

In W.P.(MD)No.18331 of 2015

D.Thilak Chander

... Petitioner

Vs.

1.The Registrar of Societies,
Trichy District,
Trichy.

2.The Secretary,
The Tiruchirappalli District
Cricket Association,
(Affiliated to Tamil Nadu Cricket Association)
No.30, Chennai Bye-Pass Road,
Mannarpuram,
Trichy-620 020.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records relating to the impugned order passed by the second respondent in his proceedings TDCA/AGMR/1/15-16, dated 26.09.2015 including the minutes of Annual General Body Meeting dated 20.09.2015 of the second respondent in respect of ban of the petitioner alone and quash the same as illegal and in violation of principles of natural justice.



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For Petitioner : Mr.Mr.Nikhil Nandha
for Mr.D.Kirubakaran

For Respondents : Mr.N.Satheeshkumar
Additional Government Pleader for R1

In W.P.(MD)No.18332 of 2015

M/s.Map Cricket Club,
Rep. by its Secretary,
D.Thilak Chander,
No.3, 8th Cross,
Thamarai Road,
Annamalai Nagar,
Trichy-18.

... Petitioner

Vs.

1.The Registrar of Societies,
Trichy District,
Trichy.

2.The Secretary,
The Tiruchirappalli District
Cricket Association,
(Affiliated to Tamil Nadu Cricket Association)
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ban of the petitioner alone and quash the same as illegal and in violation of principles of natural justice.

For Petitioner : Mr.Mr.Nikhil Nandha
for Mr.D.Kirubakaran

For Respondents : Mr.N.Satheeshkumar
Additional Government Pleader for R1

COMMON ORDER

Heard the learned counsel on either side.

2. The petitioner Thiru.D.Thilak Chander has filed one writ petition in his individual capacity and another writ petition in his capacity as secretary of the cricket club. The individual as well as the club were members of the second respondent association. On 20.09.2015, certain unpleasant incident took place during the general body meeting. The petitioner as well as the club were expelled from the membership. Few other individuals also were similarly dealt with. They expressed regret and they had since been taken back. On that ground, the writ petitions filed by them were also closed as infructuous.

3. When the matter was taken up for hearing on the last occasion, I indicated to the learned senior counsel that the petitioner can express his regret on similar lines. The matter was adjourned.



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4. Today, when the matter was taken up for hearing, the learned senior counsel produced copy of the letter dated 21.08.2023 given by Shri.D.Thilak Chander. It is addressed to the second respondent association. The last para in the said letter reads as follows:-

“My conduct during the course of General Body Meeting on 20.09.2015 was aimed at discharging my responsibility as a member of the Tiruchirappalli District Cricket Association and I have never had any ill-will against anybody and my conduct on 20.09.2015 was to advance the interest of game of cricket and our association. Had I hurt anyone's feeling on 20.09.2015 when the annual general body meeting was conducted, the same was not willful and I am sorry for that.”

When the petitioner categorically states that he is sorry for his conduct, in my view, the association ought to bury the hatchet. The association is a public body and therefore, it should adopt the same yardstick in the case of the petitioner also. Since similarly placed individuals had been taken back, I direct the second respondent to take the writ petitioner D.Thilak Chander as well as M/s.Map Cricket Club back as members of the Trichirappalli District Cricket Association.



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5. These Writ Petitions are disposed of accordingly. No costs.

Consequently, connected miscellaneous petitions are closed.

22.08.2023

Index : Yes / No

Internet : Yes/ No

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NOTE:Issue Order Copy on 25.08.2023.

To
The Registrar of Societies,
Trichy District,
Trichy.

G.R.SWAMINATHAN, J.



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22.08.2023