



W.P.(MD)No.1716 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 14.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.1716 of 2016
and
W.M.P.(MD)No.1484 of 2016

1. P.Sebastian
2. PL. Subramanian
3. K.P.Balakrishnan

... Petitioners

versus

1. The Inspector General of Registration,
Chennai.
2. The District Registrar,
Madurai South,
Madurai.
3. The Secretary,
Agrini Enclave Houses and Flats
Owners Association,
No.78, T.P.K.Road,
Andalpuram,
Madurai – 625 003.

... Respondents



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Writ Petition filed under Article 226 of Constitution of India, praying for the issuance of Writ of Certiorari, to call for records pertaining to the order passed by the 3rd respondent dated 11.01.2016 and quash the same.

For Petitioner : Mr.V.Panneer Selvam
For R1 : Mr.Sekar
For R2 and R3 : M/s.G.Vilavan Kothai

ORDER

The petitioners are residents of Agrini Housing Complex at Andalpura, Madurai. They have filed the present writ petition as against the order passed by the 3rd respondent dated 11.01.2016.

2. The 3rd respondent is the Secretary of Flat Owners' Association of Agrini Enclave Houses. He passed the impugned order dated 11.01.2016 directing the petitioners to pay corpus fund within a period of 15 days, failing which, the generator backup provided by the Association would be suspended. As against the said order, the present writ petition is filed.



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3. This Court has entertained this writ petition and by order dated 08.02.2016, granted an order of interim injunction restraining the third respondent from disconnecting the generator backup on condition that the petitioners pay the corpus fund to the 3rd respondent Association within a period of two weeks.

4. The learned counsel appearing for the petitioners submits that the petitioners have paid their respective corpus fund to the 3rd respondent as on date. He further submits that the 3rd respondent Association is not functioning properly.

5. If the petitioners are having grievance that the 3rd respondent Association is not functioning properly, the petitioners shall work out their remedy before the Registrar of Societies, for taking appropriate action as against the office bearers of the 3rd respondent Association.



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6. Accordingly, this writ petition is disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

14.02.2023

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

To

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B.PUGALENDHI, J.

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