



W.A(MD) No.45 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.01.2023

CORAM:

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

W.A.(MD) No.45 of 2023

A.Dhanapal

... Appellant

-VS-

1.The Inspector General of Registration,
No.100, Santhome Highways Road,
Chennai.

2.The District Registrar,
Karur District.

3.The Inspector of Police,
Karur Town Police Station,
Karur District.

4.Karur Jubilee Literary Association,
Reg.No.8/1890,
Rep. by its Secretary,
No.8A, Azad Road, karur.

... Respondents

PRAYER: Writ Appeal filed under Section 15 of Letters Patent against the order dated 22.11.2022 made in W.M.P.(MD)No.17495 of 2022 in W.P.(MD)No.21382 of 2022.



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For Appellant : Mr.R.Anand

For Respondents : Mr.N.Satheesh Kumar,
Addl. Government Pleader for R1 & R2.
Mr.S.Manikandan,
Govt. Advocate (Crl. Side) for R3

JUDGMENT

(Judgment of the Court was delivered by **D.KRISHNAKUMAR, J.**)

Challenging the interim order dated 22.11.2022 made in W.M.P. (MD)No.17495 of 2022 in W.P.(MD)No.21382 of 2022, the appellant has come forward with this writ appeal.

2. It is the case of the appellant that the appellant is the member of the 4th respondent society and he has filed a writ petition in W.P.(MD)No. 21382 of 2022, seeking for a direction to the respondents 1 and 2 to invoke Section 34 of Tamil Nadu Societies Registration Act, 1975, by calling for an explanation from the 4th respondent's association with regard to their conduct of Annual General Body Meeting scheduled to be taken place on 11.09.2022 and consequently, proceed against them as per law. Along with the said writ petition, the petitioner has filed an interim injunction, restraining the 4th respondent from holding a meeting called



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Annual General Body Meeting in their association on 11.09.2022 or in other dates falling subsequently, pending disposal of the main writ petition. This Court by order dated, 07.09.2022, granted an interim injunction. As against the same, the fourth respondent has filed the vacate stay petition in W.M.P.(MD)No.17495 of 2022 and this Court, by order dated 22.11.2022, allowed the said petition and vacated the interim injunction granted by this Court on 07.09.2022. As against the same, the appellant has filed this Writ Appeal.

3. The learned counsel appearing for the appellant submitted that in the affidavit filed in support of the writ petition, the appellant has categorically averred the fact with regard to the suspension order that has been passed by the 4th respondent's association. However, without taking note of the said fact, the learned Single Judge stated that the petitioner has suppressed the aforesaid fact and vacated the interim injunction and therefore, the interim order passed by the learned Single Judge warrants interference.

4. We have heard the learned counsel appearing on either side and perused the materials available on record.



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5. Considering the facts and circumstances of the case, we are of the view that there is no merit in this Writ Appeal and therefore, we are not inclined to interfere with the order of the learned Single Judge.

6. Accordingly, this Writ Appeal is dismissed. However, we make it clear that without being influenced by any of the observations made in this judgment or in the orders of the writ Court, the writ petition can be decided on its own merits. No costs. Consequently, connected miscellaneous petition is closed.

[D.K.K., J.] [R.V., J.]

20.01.2023

NCC : Yes / No

Index : Yes / No

vsm



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To

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