



W.P.No.981 of 2024

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THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2024

CORAM

THE HONOURABLE Mr.JUSTICE S.M.SUBRAMANIAM

W.P.No.981 of 2024

and

W.M.P.Nos.1030 of 2024

M/s.South Indian Sengunthar Magajana Sangam,
rep. by its General Secretary,
R.P.Kumaragurubaran,
No.25, Harington Road,
Shenoy Nagar,
Chennai - 600 030.

...Petitioner

Vs

1.The State of Tamil Nadu
rep. by its Secretary to Government,
Registration Department,
Fort St. George,
Chennai - 600 009.

2.The Inspector General of Registration,
Registration Department,
Santhome,
Chennai - 600 028.



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3.The District Registrar (Administration),
North Chennai (Registration District),
1st Floor,
Kuralazham,
Chennai - 600 106.

4.Se.Shubitha Laxmi,
District Registrar (Administration),
North Chennai (Registration District),
1st Floor,
Kuralazham,
Chennai - 600 106.

5.N.Chidambaranathan

6.P.T.Rajan

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, calling for the records of the order passed by the 3rd respondent proceeding in EN.2149/E1/2024 dated 08.01.2024 and quash the same.

For Petitioner : Mr.T.M.Pappiah

For Respondents : Mr.L.S.M. Hasan Fizal,
Additional Government Pleader
for R1 to R3

No appearance for R4

Mr.A.Manoj Kumar for R5

Mr.P.Rajavel for R5



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ORDER

The writ petitioner/South Indian Sengunthar Magajana Sangam filed an application to quash the order impugned dated 08.01.2024. The order impugned reveals that during the course of inquiry conducted by the District Registrar (Administration), disputes regarding elections were identified. Therefore, the District Registrar passed an order granting stay not to conduct Annual General Meeting of the petitioner/Sangam. When the election dispute and regarding conduct of election are the subject matters involved, the parties ought to be relegated to approach the Civil Court of law. In the present case, Civil Suits have been instituted in C.S.No.173 of 2023, O.S.No.5747 of 2023 and O.S.No.369 of 2024 by the members of the Sangam, is also pending.

2.Since Civil Suits are pending the petitioners are at liberty to work out their remedy in the pending suit or by filing appropriate applications in the manner known to Law. The issues relating to the election of a registered Society cannot be adjudicated in the Writ proceedings. The High Court



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cannot conduct a roving enquiry and such disputes should be tried by the Civil Court. Therefore, the Writ Petition filed is not entertainable and the petitioner is at liberty to work out their remedy in the manner known to law.

Accordingly, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

17.04.2024

Index : Yes/No
Speaking order : Yes/No
Neutral citation : Yes/No
mps

To

1.The Secretary to Government,
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Registration Department,
Fort St. George,
Chennai - 600 009.

2.The Inspector General of Registration,
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3.The District Registrar (Administration),
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S.M.SUBRAMANIAM, J.

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