



WEB COPY



W.P.No.4748 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.04.2024

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.4748 of 2021

and

W.M.P. No.5357 of 2021

Maple Flat Owners Welfare Association,
(Reg No.7/2016)
Rep. by its Secretary Mr.T.A.Kumar,
Having its Registered Office at
Alliance Orchid Springs Apartments
No.54, Canal Road, Korattur,
Chennai – 600 076.

... Petitioner

Vs

1. Tamil Nadu Inspector General of Registration,
Santhome,
Chennai – 600 028.
2. The District Registrar (Admin),
Chennai Central,
Chennai – 600 014.
3. Federation of Orchid Springs,
Residential Association (FOSRA),
Rep. by its Secretary,
1014, Pine Block, Orchid Springs,
54, Water Canal Road,
Korattur, Chennai – 600 076.



W.P.No.4748 of 2021

4. Alliance Orchid Springs Flat,
Owners Association,
Rep. by its Secretary,
110, Pearl Block,
Alliance Orchid Springs,
54, Water Canal Road, Korattur,
Chennai – 600 076.

5. Alliance Projects,
By its Managing Director,
No.36/1, Gandhi Mandapam Road,
Kotturpuram Road,
Chennai – 600 085.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for records pertaining to Order No.4666/I1/2019 dated 04.06.2019 passed by the first respondent and quash the said order and further direct the respondents to permit the petitioner to maintain common areas and amenities of 'Maple Block' as per the petitioner's existing Bye-laws.

For Petitioner : Mr.S.Saravanan

For Respondents : Mr.P.Anandakumar,
Government Advocate (for R1 & R2)

ORDER



W.P.No.4748 of 2021

WEB COPY

The Writ Petition has been filed challenging the order passed by the first respondent dated 04.06.2019, thereby dismissing the appeal and directed the petitioner and the counter-party to approach the Civil Court for appropriate relief.

2. The petitioner is a Welfare Association registered under the Tamil Nadu Societies Registration Act. The fourth respondent is an Association and its gated community. While that being so, in the year 2011 some of the flat owners from few blocks, came together and formed as association, viz., the fourth respondent. Therefore, there was dispute between the petitioner and the fourth respondent, it was raised before the first respondent. Since it is private dispute between the two associations, the first respondent has no jurisdiction to enquire the private disputes between the said two associations. Therefore, the first respondent has rightly rejected the appeal and this Court finds no infirmity or illegality in the order passed by the first respondent and the Writ Petition is devoid of merits.

3. Accordingly, the Writ Petition is dismissed. Consequently, the



W.P.No.4748 of 2021

connected Miscellaneous Petition is closed. No costs.

WEB COPY

10.04.2024

Index: Yes/No

Neutral Citation: Yes/No

kv

To

1. The Tamil Nadu Inspector General of Registration,
Santhome,
Chennai – 600 028.
2. The District Registrar (Admin),
Chennai Central,
Chennai – 600 014.



WEB COPY



W.P.No.4748 of 2021

G.K.ILANTHIRAIYAN, J.

kv

W.P.No.4748 of 2021

10.04.2024