



W.P.No.8912 of 2024

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2024

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.8912 of 2024

V.Anandan

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Petitioner

Vs.

1. The Registrar General
High Court, Madras
Chennai – 600 104.

2. The Ad-hoc Committee
The Madras High Court and Madurai Bench Officers
and Staff Association
Rep. by its Chairperson C.B.Meena
Registrar (Administration)
Madurai Bench of Madras High Court, Madurai.

3. Madras High Court and Madurai Bench
Officers and Staff Association
Rep. by its Secretary
Madras High Court Building Complex
Madras High Court, Chennai- 600 104.

4. The Joint Secretary
Madras High Court and Madurai Bench
Officers and Staff Association
Madurai Bench of Madras High Court
Madurai – 625 023.

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Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of certiorari mandamus, calling for the records of the proceedings of the 2nd respondent culminating in the announcement of result dated 29.02.2024 by the 2nd respondent and to quash the same as illegal and contrary to law and consequently direct the 2nd respondent to finalise the electoral roll of the 3rd respondent association after preparing a list of eligible voters and conduct fresh elections to the 3rd respondent association.

For the Petitioner : Mr.S.Rajendra Kumar
for Mr.E.Aadith Vijay

For the Respondents : Mr.R.Srinivas
Senior Counsel
assisted by
Mr.J.Chandran Sundar Sashikumar
for R1 and R2

ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.S.Rajendra Kumar, learned counsel appearing for Mr.E.Aadith Vijay, learned counsel for the petitioner and Mr.R.Srinivas, learned Senior Counsel assisted by Mr.J.Chandran Sundar Sashikumar, learned counsel for respondents 1 and 2.

2. The petitioner seeks directions to hold fresh elections of the Madras High Court and Madurai Bench Officers and Staff Association.



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3. Learned counsel for the petitioner submits that no proper procedure was followed. The proper procedure is first to prepare an electoral roll and then allow the persons to vote. No electoral roll was prepared and those who got registered as members just prior to the voting were allowed to vote.

4. It is submitted by learned Senior Counsel appearing for respondents 1 and 2 that the election was held on 29.02.2024 and the new Body has already taken charge.

5. A Writ petition cannot be a remedy with regard to the election of a Society. Remedy will be available to the aggrieved persons as contemplated under the Societies Registration Act, 1860. Even the avenue of filing a civil suit is open.

6. In the light of that, no further orders can be passed in the present writ petition.



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7. Learned counsel for the petitioner submits that respondent 1 may be directed to consider the present petition as a representation.

8. It is for the petitioner to prosecute the same with the concerned authority, of course, if the concerned authority has powers to entertain such an application.

9. The writ petition, accordingly, stands disposed of. There shall be no order as to costs. Consequently, W.M.P.No.9924 of 2024 is closed.

(S.V.G., CJ.)

(D.B.C., J.)

28.03.2024

Index : Yes/No
Neutral Citation : Yes/No

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To

1. The Registrar General
High Court, Madras
Chennai – 600 104.



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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

(drm)

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