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W.P.No.21837 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.08.2024

CORAM :

THE HONOURABLE MR. JUSTICE **M. DHANDAPANI**

W.P.No.21837 of 2024

E.Veeramani

... Petitioner

Vs.

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

2.The District Registrar,
Chengalpattu District.

3.The Nova House Owners Association,
Represented by its President,
Mahindra World City,
Chengalpattu District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd respondent to conduct a detail enquiry based on the petitioner's representation dated 09.07.2024 to dissolve the defunct association which functioning illegally and consequently, directing the 2nd respondent to register the petitioner's new association in Application No.S01SREGVV2024070448003544 pending before the District Registrar, Chengalpattu.

For Petitioner : Mr.Krishnasamy Chinnaamy



W.P.No.21837 of 2024

For Respondents : Mr.P.Harish
Government Advocate [R1 & R2]
Notice dispensed with [R3]

ORDER

This Writ Petition has been filed seeking for a Writ of Mandamus, to direct the 2nd respondent to conduct a detail enquiry based on the petitioner's representation dated 09.07.2024 to dissolve the defunct association which functioning illegally and consequently, directing the 2nd respondent to register the petitioner's new association in Application No.S01SREGVV2024070448003544 pending before the District Registrar, Chengalpattu.

2. Mr.P.Harish, learned Government Advocate accepts notice on behalf of the respondents 1 and 2. In view of the consent expressed by the learned counsel appearing for the parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. Since no adverse order is passed against the 3rd respondent, notice to the 3rd respondent is dispensed with.

4. The case of the petitioner is that, he is the owner of the flat in



W.P.No.21837 of 2024

the Nova Apartments, Mahindra City and “Nova House Owners Association” formed by the Mahindra World City Developers Limited (MWCDL) in the year 2017 and selected their favorable persons. As a result, one Nagabushanam influenced and selected as President for the above association and his supporters were selected as Secretary, Treasurer and Executive Members for the above association. The apartment consist of 4 blocks like A, B, C and D, which has 726 flats and almost 700 families are staying in it. It is the further case of the petitioner that, only 15 members allowed being the members in the above association as on date with an intention to embezzle the funds of the association and they refused to include the house owners as members. Recently, the petitioner and other owners came to known that only two members running the association illegally, thereby they have arranged emergency house owners meeting to discuss about the activities of the association and the funds of the association misused by the previous members. Subsequent to that meeting, the President resigned from his position and Treasurer sold his flat and escaped, thereby the petitioner and others decided to form a new association and registered the same through online. On 09.07.2024, the petitioner sent a complaint letter to



W.P.No.21837 of 2024

the respondents 1 and 2 to conduct a detailed enquiry and dissolve the association as defunct and register the new association. However, the same was not considered by the respondents 1 and 2. Therefore, the petitioner has filed the above writ petition before this court for appropriate orders.

5. Though very many grounds have been raised in this writ petition, the learned counsel for the petitioner submits that, it would suffice, if this Court issues a direction to the 2nd respondent to consider the petitioner's representation dated 09.07.2024 and pass appropriate orders, within a time frame that may be fixed by this Court.

6. Learned Government Advocate appearing for the respondents 1 and 2 submitted that the petitioner's representation dated 09.07.2024 will be considered and appropriate orders will be passed, as expeditiously as possible.

7. Considering the limited request sought for by the learned



W.P.No.21837 of 2024

counsel appearing for the petitioner, this court, without going into the merits of the case, directs the 2nd respondent to consider the petitioner's representation dated 09.07.2024 and pass appropriate orders, on merits and in accordance with law, after providing opportunity to the 3rd respondent, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

8. With the above direction, this Writ Petition is disposed of. No costs.

06.08.2024

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
sp

To

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

2.The District Registrar,
Chengalpattu District.

M.DHANDAPANI, J.

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W.P.No.21837 of 2024

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