



W.P.No.27939 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.09.2024

CORAM:

THE HON'BLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.27939 of 2024
and
WMP.Nos.30479 & 30484 of 2024

B.V.Ramana

...Petitioner

Vs.

1. The Registrar of Societies,
J6, G7 + 5CJ, Sansad Marg, Old Court Building,
Janpath, New Delhi – 110 001.
2. The Institution of Valuers,
Rep. By the Registrar,
Valuers Bhawan,
Plot No.3, Parwana Road, Adjacent to Bal Bharti Public School,
Pitampura, Delhi – 110 034.
3. The Board of Scrutineers,
Rep. By the Convener,
Valuers Bhawan,
Plot No.3, Parwana Road, Adjacent to Bal Bharti Public School,
Pitampura, Delhi – 110 034.
4. The Institution of Valuers,
Chennai Branch,
Rep. By the Chairman,
No.4/180, TNHB Commercial Complex,
Luz Church Road, Mylapore, Chennai – 600 004. ...Respondents



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Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the Election Notice for Council for the Years 2025-2027 issued by the 3rd respondent in the month May and to quash the same and to direct 3rd respondent to conduct a fresh election by publishing the list of names, communication addresses, phone numbers and email Id's of the entire members of IOV.

For Petitioner : J.Ramesh

ORDER

This Writ petition has been filed seeking quashment of the Election Notice for Council for the Years 2025-2027 issued by the 3rd respondent and to consequently, direct the 3rd respondent to conduct fresh election by publishing the list of names, communication addresses, phone numbers and email Id's of the entire members of IOV.

2. Since no adverse order is being passed against the respondents, notice to the respondents is dispensed with.

3. The case of the petitioner is that the petitioner is the Chairman of the Institution of valuers bearing membership No.F-5096 and he is a permanent member since 2006 in the Chennai Branch of IOV. While so, the



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2nd respondent, for the reasons best known to it, terminated the petitioner from the post of Chairman. Aggrieved by the same, the petitioner filed a suit in CS SCJ No.529 of 2024, in which an interim order was passed not to terminate the petitioner. Thereafter, the petitioner has been actively participating in the meetings and other programs conducted by the Chennai Branch of IOV. As the 2022-2024 council member's tenure is about to expire in December 2024, the 3rd respondent published the election notification for council for the years 2025-2027. Since, the petitioner is an eligible voter to contest in the election going to be conducted, he is contesting for the post of President for the council of IOV. However, the petitioner was not furnished with the list of members of IOV, enabling him to canvas for his election, despite his repeated requests seeking to publish the details of list of voters. Hence, the petitioner has come up with this Writ petition, challenging the election notice for council for the period 2025-2027 issues by the 3rd respondent.

4. Heard learned counsel for the petitioner and perused the materials available on record.



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5. Though very many grounds have been raised by the learned counsel for the petitioner against the impugned order, when this Court expressed its opinion that when there is a remedy available to the petitioner to approach the competent authority under Societies Registration Act 1860, filing the present writ petition seeking the aforesaid relief is not sustainable, the learned counsel for the petitioner restricted the prayer and sought permission of this Court to workout his remedy in the manner known to law.

6. In view of the above, this Court, without interfering the impugned Election notice issued by the 3rd respondent, grants liberty to the petitioner to approach the competent authority as prescribed under Societies Registration Act 1860 and workout his remedy in the manner known to law.

7. For the reasons aforesaid, this Writ petition stands dismissed. No costs. Consequently, the connected Miscellaneous petitions are closed.

20.09.2024

skt

NCC : Yes/No
Index : Yes/No
Speaking Order : Yes/No

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To:

The Registrar of Societies,
J6, G7 + 5CJ, Sansad Marg, Old Court Building,
Janpath, New Delhi – 110 001.



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M.DHANDAPANI, J.

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