



W.P.No.31693 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.10.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.No.31693 of 2024
and W.M.P.No.34442 of 2024**

S.Shanmugam

... Petitioner

Vs.

1.The District Registrar of Societies,
No.47/8, West Tambaram,
Chennai-600 045.

2.The President,
The SBIOA Unity Enclave,
Owners Welfare Association,
Mambakkam,
Chengalpattu District-600 127.

....Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the first respondent to conduct detailed enquiry into the affairs of the second respondent touching upon the byelaws, minutes, statement of accounts, etc., based on the petitioner's representation dated 16.09.2023 and appoint a responsible Officer to verify and scrutinize the same within a time frame to be stipulated by this Court.

For Petitioner

:

Mr.T.S.Rajamohan



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For Respondents : Mr.P.Harish
Government Advocate
for R1
R2-Dispensed with

ORDER

This Writ Petition has been filed to direct the first respondent to conduct detail enquiry into the affairs of the second respondent touching upon the byelaws, minutes, statement of accounts, etc., based on the petitioner's representation dated 16.09.2023 and appoint a responsible Officer to verify and scrutinize the same within a time frame stipulated by this Court.

2. The case of the petitioner is that the petitioner is the member of the second respondent Association and the second respondent Association has not properly maintained the accounts and violated the byelaws, therefore, the petitioner made a representation on 16.09.2023 before the first respondent, however, the same has not been considered so far. Therefore, the petitioner has filed the present writ petition with the aforesaid prayer.

3. The learned counsel appearing for the petitioner would submit



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that it would suffice, if the first respondent is directed to dispose of the representations of the petitioner, dated 16.09.2023 on merits and in accordance with law, within a specified period.

4. Heard the learned Government Advocate Pleader appearing for the respondent No.1.

5. Since no adverse order is going to be passed against the respondent No.2, notice to the respondent No.2 is dispensed with.

6. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the respondent No.1 to consider the representation of the petitioner, dated 16.09.2023 and pass appropriate orders, on merits and in accordance with law, within a period of 12 weeks from the date of receipt of a copy of this order, after providing opportunity to the petitioner and the respondent No.2.



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7. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs. Connected miscellaneous petition is closed.

23.10.2024

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

To
The District Registrar of Societies,
No.47/8, West Tambaram,
Chennai-600 045.



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M.DHANDAPANI, J.

ssb

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