



W.P.No.32086 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2024

CORAM

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

W.P.No.32086 of 2024

M.Mohammed Shahid

...Petitioner

Vs.

1. Inspector General of Registration,
Mailapore Road,
Santhome, Chennai.
2. The District Registrar/Registrar of Societies,
O/o. The District Registrar,
Thirupathiripuliyur, Cuddalore,
Cuddalore District.
3. The District Registrar/Special Officer,
Virudhachalam District Registrar,
Thirupadhiripuliyur, Cuddalore District.
4. K.I.Manirathnam
5. Mano

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the 3rd respondent to take appropriate action under Section 34 of Tamil Nadu Societies Registration Act, 1975 as stated



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in Para.No.III in G.Ms.No.360 of 2023 dated 23.11.2023 by virtue of petitioner representation dated 24.09.2024.

For Petitioner : Mr.K.J.Shiva Arudhra

For Respondents : Mr.T.Chezhiyan, AGP, for R1 to R3

ORDER

This Writ petition has been filed seeking direction to the 3rd respondent to take appropriate action under Section 34 of Tamil Nadu Societies Registration Act, 1975 as stated in Para.No.III in G.Ms.No.360 of 2023 dated 23.11.2023 by virtue of petitioner's representation dated 24.09.2024.

2. Mr.T.Chezhiyan, learned Additional Government Pleader takes notice on behalf of the respondents 1 to 3. In view of the consent expressed by the learned counsel on either side, this Writ petition is taken up for final disposal at the admission stage itself.

3. Since no adverse order is being passed against the 4th and 5th respondents, notice to the 4th and 5th respondents is dispensed with.



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4. The case of the petitioner is that, he purchased the house property situated at Anugraha Satalite Township, Periyakattupalayam, Cuddalore comprised in S.No.149/4B from one R.V.Saravenen for a sale consideration of Rs.11,00,000/-. Prior to the same, a welfare association was formed by the residents of the said Anugraha Satellite Township. Since, no proper election was conducted, there were some internal disputes with regard to the management of the said association. Thereby, the petitioner made several representations seeking to conduct election in fair manner in pursuance to the guidelines mandated under G.O.(R).No.360 Commercial Tax and Registration (M-1) Department dated 23.11.2023 in its true letter and spirit and the last representation/complaint made by the petitioner was on 24.09.2024. However, since no action was forthcoming, despite the several representations, the petitioner has come forward with the present Writ petition.

5. Heard learned counsel on either side and perused the material documents placed on record.



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6. Though very many grounds have been raised by the learned counsel for the petitioner at the time of arguments, as the issue involved in the present case is purely civil in nature, the same cannot be adjudicated by this Court under Article 226 of the Constitution of India. Thereby, this Court, without going into the merits of the case, while dismissing this Writ petition, grants liberty to the petitioner to approach the competent civil court and workout his remedy in the manner known to law.

7. For the reasons aforesaid, this Writ petition stands dismissed with the aforestated liberty. No costs.

25.10.2024

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



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Santhome, Chennai.
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M.DHANDAPANI, J.

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