



W.P.No.38144 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 18.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.38144 of 2024

M/s Sooryaa Educationist,
rep. by its Proprietor,
Mr.V.Gunasekaran

... Petitioner

Vs.

1. The Director,
Directorate of Public Libraries,
No.737/1, Anna Salai, Chennai 600 002.
2. The Booksellers' and Publishers' Association
of South India,
rep. by its President S.Chokalingam,
No.8, 2nd floor, Sun Plaza, 19, G.N.Chetty Road,
Chennai 600 006.
3. S.K.Murugan, Secretary,
The Booksellers' and Publishers' Association
No.8, 2nd floor, Sun Plaza, 19, G.N.Chetty Road,
Chennai 600 006.

... Respondents

Prayer: Writ petition filed under Article 226 of Constitution of India seeking for issuance of Writ of Mandamus, directing the second respondent to provide stall for the petitioner under the membership



W.P.No.38144 of 2024

WEB COPY

category in the 48th Chennai Book Fair, scheduled to be conducted from 27.12.2024 to 12.01.2025 at YMCA, Nandanam, Chennai, in view of the petitioner's application dated 26.11.2024.

For Petitioner : Mr.B.M.Subash

ORDER

This writ petition is filed seeking a direction to the second respondent to provide a stall to the petitioner under the membership category, in the 48th Chennai Book fair.

2. It is the case of the petitioner that it is a proprietary concern involved in book selling business. The second respondent is the Society, registered under the Tamil Nadu Registration Act, which organises book fairs including Chennai Book Fair. The petitioner participated in the Book Fairs conducted by the second respondent from the year 2010 as a non member. In the year 2021, the petitioner applied for membership of the second respondent and upon approval, the petitioner paid membership fees and participated in the Book Fair under the membership category. For the 48th Chennai Book Fair 2025 to be



W.P.No.38144 of 2024

WEB COPY

conducted by the second respondent from 27.12.2024 to 12.01.2025 at YMCA College of Physical Education, Nandanam, the petitioner applied for participation in the said Book Fair under the member category. However, the petitioner was informed by a communication from the second respondent dated 27.11.2024 that the petitioner's request for membership of the second respondent was rejected by the General Body of the second respondent Society and therefore, the amount paid by the petitioner towards membership was refunded. The second respondent further informed the petitioner that his request for participation in the Chennai Book Fair will be considered only under the non membership category. Since the petitioner's request for participation has not been considered under the membership category, the petitioner has come before this court.

3. It is seen from the typed set of papers that the request of the petitioner for membership of the second respondent society was rejected by the communication of the second respondent dated 27.12.2024. The petitioner has not challenged the said communication in the manner known to law. Therefore, as on today, the petitioner can



W.P.No.38144 of 2024

WEB COPY

not be termed as a member of the second respondent society. In such circumstance, this court is not inclined to issue any positive direction to the second respondent to consider the request of the petitioner for participation in the 48th Chennai Book Fair under membership category.

4. It is always open to the petitioner to challenge the order passed by the second respondent, rejecting the request of the petitioner for membership of the second respondent society before the civil court in the manner known to law. The rejection of the petitioner's request for membership in the second respondent society can not be a subject matter of writ petition. Therefore, this court is not inclined to entertain the writ petition.

5. Accordingly, this writ petition shall stands dismissed. There shall be no order as to costs.

18.12.2024

Index:Yes/No
Internet:Yes/No
mst



W.P.No.38144 of 2024

WEB COPY

To

1. The Director,
Directorate of Public Libraries,
No.737/1, Anna Salai, Chennai 600 002.
2. The Booksellers' and Publishers' Association
of South India,
rep. by its President S.Chokalingam,
No.8, 2nd floor, Sun Plaza, 19, G.N.Chetty Road,
Chennai 600 006.
3. S.K.Murugan, Secretary,
The Booksellers' and Publishers' Association
No.8, 2nd floor, Sun Plaza, 19, G.N.Chetty Road,
Chennai 600 006.



WEB COPY



W.P.No.38144 of 2024

S.SOUNTHAR, J.

mst

W.P.No.38144 of 2024

18.12.2024