



WMP(MD)No.1756 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Wednesday, the Seventeenth day of April Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice S.S.SUNDAR
and

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

WMP(MD)No.1756 of 2024
in
WP(MD)No.2572 of 2023

K.KAMARAJ

... PETITIONER/RESPONDENT 2

Vs

1 ARUPPUKOTTAI NADARGAL URAVINMURAI
POTHU ABIVIRUTHI TRUST,
REP BY ITS SECRETARY,
S.C.SARAVANAN,
NO. 42, BIG BAZAAR STREET,
ARUPPUKOTTAI-626 101

... RESPONDENT 1/PETITIONER

2 THE DISTRICT REGISTRAR (SOCIETIES),
VIRUDHUNAGAR DISTRICT,
VIRUDHUNAGAR 626 001

3 P.M.C.MUTHUKUMAR

4 Y.RAJARATHINAM

5 P.M.C.MUTHUSAMY

6 RAMAR NADAR

... RESPONDENTS/RESPONDENTS
Nos.1 AND 3 TO 6



WMP(MD)No.1756 of 2024

WEB COPY

Writ Miscellaneous Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to pass an order permitting the petitioner, Mr. K.Kamaraj, President, to have limited access to the bank accounts belonging to the Arupukottai Nadargal Uravinmurai Pothu Abiviruthi Trust for the purpose of fulfilling the orders of this Honble Court dated 12.09.2023 in common order in W.P.(MD).Nos. 19595 of 2020, 18872 of 2022 and 2572 of 2023, by fixing an upper limit towards the payment of Rupees Four Lakhs and other expenses of the Administrators per month till the date of next election.

Prayer in WP(MD). 2572/ 2023 :

Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorari to calling for the records relating to the proceedings dated 13.01.2023 accepting Form VII in Document no. 1/2023 in respect of Arupukottai Nadargal Uravinmurai Pothu Abiviruthi Trust on the file of the District Registrar, Virudhunagar, the 1st respondent herein and quash the same.

ORDER : This Writ Miscellaneous Petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/s.T.SEENI SYED AMMA, Advocate M/S. LAJAPATHI ROY AND ASSOCIATES, for the petitioner and of Mr.A.V.ARUN, Advocate on behalf of the 1st Respondent, the court made the following order:-

(Order of the Court was made by S.S.SUNDAR, J.

1. This application is filed to pass an order, permitting the Petitioner, who claims to



WMP(MD)No.1756 of 2024

WEB COPY

be the President of the Association, to have access to the bank accounts, belonging to the Arupukottai Nadargal Uravimurai Pothu Abiviruthi Trust, for the purpose of fulfilling the orders of this Court, dated 12.09.2023, passed in WP(MD)No.2572 of 2020, 18872 of 2022 and 2572 of 2023, by fixing an upper limit towards the payment of Rupees Four Lakhs and other expenses of the Administrators per month till the date of next election.

2. This Court heard the learned counsel for the Petitioner and the contesting Respondent.
3. The Petitioner is now directed not to collect any amount towards election expenses as he is not sharing the expenses for the present as per the directions of this Court.
4. It is now admitted before this Court that there are rival claims to the Office of the Secretary as well as the President. It is under these circumstances to avoid any conflict and to ensure proper accounting, this Court directs the Administrator to operate the bank accounts through the Advocate Commissioner appointed by him. In other words, the Administrator or any one of the Advocate Commissioners shall operate the bank accounts belonging to the Arupukottai Nadargal Uravimurai Pothu Abiviruthi Trust for the purpose of conducting the election.

5. The Administrator is permitted to withdraw a sum of Rs.5,00,000/- towards his remuneration and the remuneration for the two Advocate Commissioners, who



WMP(MD)No.1756 of 2024

WEB COPY

have been engaged to conduct the election. The Administrator shall also withdraw a sum upto Rs.12,00,000/- to meet the expenses, relating to the conduct of the election apart from the sum, which is permitted to be withdrawn towards the remuneration of the Administrator and the Advocate Commissioner. If any further amount is required, it is open to the Administrator or the Advocate Commissioner to file an application before this Court for appropriate direction.

sd/-

17/04/2024

/ TRUE COPY /

03/05/2024

Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SRCM
TO
THE DISTRICT REGISTRAR (SOCIETIES),
VIRUDHUNAGAR DISTRICT,
VIRUDHUNAGAR 626 001

COPY TO:

1 THE HON'BLE MR.JUSTICE V.BHARATHIDASAN, (RETIRED),
NEW NO.22(OLD NO.L-45),
2ND MAIN ROAD, KAMARAJ NAGAR(WEST),
THIRUVANMIYUR,
CHENNAI-600 041.

2 THE REGISTRAR (JUDICIAL),
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



WMP(MD)No.1756 of 2024

3 THE COURT MANAGER,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
WMP(MD)No.1756 of 2024
in WP(MD)No.2572 of 2023
Date :17/04/2024

SA/GS/SAR. /03.05.2024/5P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.