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W.P.(MD)NO.14742 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.07.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)Nos.14742 & 15283 of 2024 AND

W.M.P.(MD)Nos.12933 & 13401 of 2024

1. P.Saranya
2. P.Suresh
3. S.Arun
4. G.Esakimuthu
5. M.Premalatha
6. P.Vijayakumar
7. R.Sathiyamoorthi
8. M.Subhasini
9. T.Vaithiyanathan

... Petitioners
in both WPs.

Vs.

1. The District Registrar
(Societies Registration),
O/o.the The District Registrar,
Thanjavur District,
Thanjavur.
2. The Secretary,
Thanjavur West Sarvodaya Sangh
(Regn.No.15/1974),
28, Giri Road,
Srinivasapuram,
Thanjavur – 613 009.
3. A.R.Subramaniyan,
General Body Member,
Thanjavur West Sarvodaya Sangh
(Regn.No.15/1974),



28, Giri Road,
Srinivasapuram,
Thanjavur – 613 009.

4. P.Krishnamoorthy,
General Body Member,
Thanjavur West Sarvodaya Sangh
(Regn.No.15/1974),
28, Giri Road,
Srinivasapuram,
Thanjavur – 613 009.
5. M.Rajkumar,
General Body Member,
Thanjavur West Sarvodaya Sangh
(Regn.No.15/1974),
28, Giri Road,
Srinivasapuram,
Thanjavur – 613 009.
6. T.Raja,
General Body Member,
Thanjavur West Sarvodaya Sangh
(Regn.No.15/1974),
28, Giri Road,
Srinivasapuram,
Thanjavur – 613 009.
7. R.Subramaniyan,
General Body Member,
Thanjavur West Sarvodaya Sangh
(Regn.No.15/1974),
28, Giri Road,
Srinivasapuram,
Thanjavur – 613 009.
8. Gopalakrishnan,
General Body Member,



Thanjavur West Sarvodaya Sangh
(Regn.No.15/1974),
28, Giri Road,
Srinivasapuram,
Thanjavur – 613 009.

9. Gajalakshmi,
General Body Member,
Thanjavur West Sarvodaya Sangh
(Regn.No.15/1974),
28, Giri Road,
Srinivasapuram,
Thanjavur – 613 009.

10. Pugalenthai,
General Body Member,
Thanjavur West Sarvodaya Sangh
(Regn.No.15/1974),
28, Giri Road,
Srinivasapuram,
Thanjavur – 613 009.

11. K. Saravanan,
General Body Member,
Thanjavur West Sarvodaya Sangh
(Regn.No.15/1974),
28, Giri Road,
Srinivasapuram,
Thanjavur – 613 009.

(R-3 to R-11 are impleaded vide order dated 10.07.2024
in W.M.P.(MD)No.13263 of 2024 in W.P.(MD)No.14742 of 2024)

... Respondents
in both WPs.

Prayer in W.P.(MD)No.14742 of 2024 : Writ
petition filed under Article 226 of the Constitution of India,
to issue a Writ of Mandamus, directing the 1st Respondent



to consider the petitioner's representation dated 29.05.2024 and disqualify the punished members who participated in 107th General Body Meeting of the said Sangam and passed resolution No.3 dated 29.09.2023 against Rule 4(e) and amended Rule 3(C-a) of Bylaws of the said Sangam and thereby to reject the Form VII for Registration of resolution No.3 passed in 107th General Body Meeting dated 29.09.2023 of the said Sangam as the same is against amended Rule 3(C-a) of the Bylaws of the said Sangam.

Prayer in W.P.(MD)No.15283 of 2024 : Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to pass appropriate orders on the petitioner's representation dated 26.06.2024 to restrain the respondents 3 to 11, punished members from attending 152nd General Body Meeting of the said Sangam to be convened on 11.07.2024 as their participation is against Rule 4(e) and amended Rule 3 (C-a) of Bylaws of the said Sangam.

(in both WPs.)

For Petitioner : Mr.S.Ramu

For R-1 : Mr.R.Ragavendran,
Government Advocate.

* * *

**COMMON ORDER**

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Heard both sides.

2. The petitioners want the first respondent to disqualify certain members from participating in the proposed General Body meeting. The first respondent will not have jurisdiction to do so. Therefore, these writ petitions cannot be entertained. I make it clear that I have not gone into the merits of the matter. It is open to the petitioners to move the jurisdictional civil Court. The petitioners may also move this Court against at the appropriate stage, if according to the petitioners, the first respondent had not discharged his or her statutory functions.

3. With this liberty to the petitioners, these writ petitions are dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

10.07.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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W.P.(MD)NO.14742 OF 2024

G.R.SWAMINATHAN,J.

PMU

To:

The District Registrar
(Societies Registration),
O/o.the The District Registrar,
Thanjavur District,
Thanjavur.

W.P.(MD)Nos.14742 & 15283 of 2024

10.07.2024