



W.P.(MD)No.19603 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 16.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.19603 of 2024
and WMP(MD) Nos.16614, 16615 of 2024

P.Sivakumar

... Petitioner

Vs

1. The Regional Director,
Khadi and Village Industries Commission,
Divisional Office,
No.10, Bye-Pass Road,
Madurai - 625 010.

2. The District Registrar of Societies,
Tenkasi District, Tenkasi.

3. The Chairman,
Sankarankovil Sarvodaya Sangam,
621, NGOA Colony, Bharathidasan Street,
Sankarankovil, Tenkasi District.

4. The President,
Tamil Nadu Sarvodaya Sangam,
First St, Annapoorna Layout,
Gandhinagar, Velampalayam,
Tiruppur - 641 603.

5. Radhakrishnan

6. M.Sivavadivelan

... Respondents



W.P.(MD)No.19603 of 2024

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified mandamus calling for the records pertaining to the impugned resolution no.5 dated 10.07.2024 passed in the general body meeting of the Sankarankovil Sarvodaya Sangam, examine its legality and validity and quash the same and consequently directing the 1st respondent to take appropriate action to ensure the proper functioning of the Sankarankovil Sarvodaya Sangam in accordance with its registered bye-laws and applicable laws.

For Petitioner	: Mr. P. Saravanakumar
For Respondents	: Mr.D.Gandhiraj (R1,R2) Special Government Pleader Mr.B.Prasanavinoth (R4,R6)

ORDER

This Writ Petition has been filed challenging the impugned resolution no.5, dated 10.07.2024 passed in the general body meeting of the Sankarankovil Sarvodaya Sangam, examine its legality and validity and consequently to direct the 1st respondent to take appropriate action to ensure the proper functioning of the Sankarankovil Sarvodaya Sangam in accordance with its registered bye-laws and applicable laws.

2.Heard Mr.P. Saravanakumar, learned counsel appearing for the petitioner, Mr.D.Gandhiraj, learned Special Government Pleader appearing for the



W.P.(MD)No.19603 of 2024

respondents 1 & 2 and Mr.B.Prasanavinoth, learned counsel appearing for R4,R6.

WEB COPY

3. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

4. The grievance of the writ petitioner is that two of the employees, who were originally removed from service for alleged misappropriation of fund were taken back into service based on the impugned resolution passed by the respondent Society. Hence, this writ petition has been filed to quash the same.

5.At the outset, this Court is of the view that the writ petition is not maintainable. If at all any resolution passed by the Society is against the petitioner, the remedy of the petitioner lies elsewhere, not before the writ Court. I find no merits in this writ petition.



W.P.(MD)No.19603 of 2024

6. Accordingly, this writ petition stands dismissed. There shall be no

order as to costs. Consequently, connected miscellaneous petitions are closed.

16.08.2024

NCC : Yes/No
Index : Yes/No
PNM

To

1. The Regional Director,
Khadi and Village Industries Commission,
Divisional Office,
No.10, Bye-Pass Road,
Madurai - 625 010.

2. The District Registrar of Societies,
Tenkasi District, Tenkasi.

3. The Chairman,
Sankarankovil Sarvodaya Sangam,
621, NGOA Colony, Bharathidasan Street,
Sankarankovil, Tenkasi District.

4. The President,
Tamil Nadu Sarvodaya Sangam,
First St, Annapoorna Layout,
Gandhinagar, Velampalayam,
Tiruppur - 641 603.



WEB COPY



W.P.(MD)No.19603 of 2024

N.SATHISH KUMAR, J.

PNM

ORDER IN

W.P.(MD)No.19603 of 2024

and WMP(MD) Nos.16614, 16615 of 2024

16.08.2024