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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6239 OF 2024

Gnandurai Devadasan and Ors.

...Petitioners

Vs.

Joint Charity Commissioner-1 & Ors.

...Respondents

Mr. Rajesh Kachre with Ashish Ghadge with Rohan Tamhane i/b. Tamhane and Co, for Petitioners.

Mr. Aniesh S. Jadhav with Rushikesh Kekane with Dev Tejnani, for Respondent No.5.

Ms. S. D. Vyas, Addl. Govt. Pleader with Ms. M. S. Bane, AGP for the State.

CORAM: G. S. KULKARNI &
ADVAIT M. SETHNA, JJ.

DATED: 12 FEBRUARY 2025

P.C.

1. We have heard learned Counsel for the petitioners. This petition is filed praying for the following reliefs:

(a) that Rule may be issued;

(b) that pending the hearing and final disposal of the present Writ Petition, this Hon'ble Court be pleased to quash the Impugned Orders passed by the Joint Charity Commissioner-1, Mumbai, dated 30/12/2019, Exhibit-H, Asst. Charity Commissioner dated 02/05/2022, Exhibit-I and Joint Charity Commissioner, Greater Region Mumbai dated 14/09/2022 Exhibit-L;

(c) that pending the hearing and final disposal of the present Writ Petition, effect, operation, implementation and execution of the orders passed by the Joint Charity Commissioner-1, Mumbai, dated 30/12/2019, Exhibit-H, Asst. Charity Commissioner dated 02/05/2022, Exhibit-I and Joint Charity Commissioner, Greater Region Mumbai dated 14/09/2022, Exhibit-L be stayed;

(d) that this Hon'ble Court be pleased to direct the Respondent No.3 to hold the election;

(e) the Respondent No.3 be directed to follow procedure of displaying the aforesaid list of members on the notice board and as also in the News Paper thereby asking suggestions and objections from various persons who are connected with St. Stephens Tamil Christian Association;

(f) for interim / ad-interim reliefs in terms of prayer clauses (e) and (d) hereinabove.

(g) for costs;

(h) for such other and further reliefs as the nature and circumstances of the case may require.”

2. The petitioners had approached this Court by filing Writ Petition No.3560 of 2023 which was simplicitor withdrawn by an order dated 1 March 2024. In this view of the matter, a second writ petition with the aforesaid prayers is certainly not maintainable. In any event, all these are the issues which are required to be pursued by the petitioners before appropriate authority. A writ petition for these issues, is certainly not maintainable.

3. The petition is accordingly dismissed. No costs.

(ADVAIT M. SETHNA, J.)

(G. S. KULKARNI, J.)