



WEB COPY



W.A.No.1982 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.07.2025

C O R A M

THE HONOURABLE MRS.JUSTICE J.NISHA BANU
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

W.A.No.1982 of 2025 and
C.M.P.No.14986 of 2025

M.V.Ramani

... Appellant/Petitioner

-vs-

1. The District Registrar of Societies,
Central Madras Region,
No.182, Bharathi Salai,
Royapettah, Chennai-600 014.

2. The President,
Representing the Governing Body of
Sri Ram Samaj,
(A Society registered under Societies Registration Act)
No.47, Arya Gowda Road,
West Mambalam, Chennai-600 033.

... Respondents/Respondents

Prayer: Writ Appeal is filed under Clause 15 of the Letters Patent, seeking to set aside the final order passed in W.P.No.6727 of 2025 dated 27.02.2025 and consequently grant the relief prayed for by the appellant / petitioner in the writ appeal

For Appellant : Mr.T.S.Rajamohan
For R1 : Mr.Stalin Abimanyu
Addl. Govt. Pleader



W.A.No.1982 of 2025

ORDER

(By J.Nisha Banu,J.)

WEB COPY

A challenge in the Writ Appeal is to the order dated 27.02.2025 passed in W.P.No.6727 of 2025, by which, the Writ Petition was dismissed as not maintainable.

2. Mr.Stalin Abimanyu, learned Additional Government Pleader takes notice for the 1st respondent. Notice to the 2nd respondent is dispensed with, as no adverse order is going to be passed against them.

3. The case of the appellant is that the 2nd respondent, which is registered under the Tamil Nadu Societies Registration Act, is amenable to writ jurisdiction in terms of a Full Bench judgment of this Court in D.Bright Joseph vs. Church of South India [W.P.No.30472 of 2022] dated 29.02.2024. Since the 2nd respondent is involved in discharging public activities, the act of the 2nd respondent in removing the appellant from the primary membership can be questioned by invoking writ jurisdiction. It is further case of the appellant that due to personal vendetta and animosity and despite the fact that the appellant is a life member, the 2nd respondent has



W.A.No.1982 of 2025

taken a decision to remove the appellant from the roll of the membership. It was the appellant, who raised voice against the illegalities and irregularities committed by the 2nd respondent and therefore, such stringent action has been exercised against him.

4. Learned Additional Government Pleader appearing for the 1st respondent contended that the very same appellant had earlier filed W.P.No.19990 of 2005 against the 2nd respondent and the said Writ Petition was taken up along with W.A.Nos.1248 and 1249 of 2005. The First Bench of this Court dismissed all cases on 04.08.2005, holding as under:

“2. After hearing the learned counsel, in our opinion the writ petition itself is not maintainable as it was filed against a purely private body, namely, Sri Ram Samaj. It has not been demonstrated that it is an instrumentality of the State, under Article 12 of the Constitution of India. Inasmuch as it has not been established that the Government has any deep and pervasive State control over this body, it remains to be a purely private body. Ordinarily, no writ lies against a private body except a writ of habeas corpus.

3. More over, we are not inclined to exercise our discretion under Article 226 in this case as we are of the opinion that the election to the governing body should be held and thereafter, if anybody has a grievance, they can challenge the elections by an appropriate proceedings before the appropriate forum. The writ petition is therefore dismissed.



W.A.No.1982 of 2025

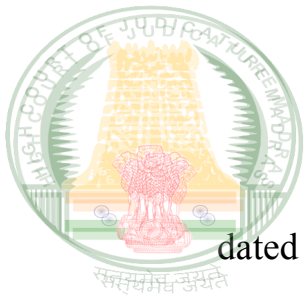
Consequently, the Writ Appeals are also dismissed as infructuous.”

WEB COPY

5. A cursory glance at the aforesaid judgment reveals that the previous Writ Petition filed by the appellant herein was dismissed by this Court, with a direction to the writ petitioner to approach the appropriate forum. The appellant has not disclosed the dismissal of the earlier writ petition either in the writ affidavit or in the writ appeal. The appellant has approached this Court with unclean hands. The Hon'ble Supreme Court in the case of S.P.Chengalvaraya Naidu vs. Jagannath, reported in **(1994) 1 SCC 1**, observed as under:

"The courts of law are meant for imparting justice between the parties. One who comes to the court, must come with clean hands. We are constrained to say that more often than not, process of the Court is being abused. Property grabbers, tax evaders, Bank loan dodgers, and other unscrupulous persons from all walks of life find the court process a convenient lever to retain the illegal-gains indefinitely. **We have no hesitation to say that a person, whose case is based on falsehood, has no right to approach the Court. He can be summarily thrown out at any stage of the litigation.**"

6. In all probabilities, we are of the view that the order of the learned Single Judge does not warrant any interference by this Court and it is for the appellant to approach the appropriate Civil Forum to redress his grievance in the manner known to law, as held by this Court in the judgment



W.A.No.1982 of 2025

dated 04.08.2005.

WEB COPY

7. In the result, the Writ Appeal is dismissed. Though it is a fit case to impose costs on the appellant, we refrain ourselves from imposing costs for the present. No costs. Consequently, connected miscellaneous petition is closed.

(J.N.B.J.) (M.J.R,J.,)
03.07.2025

Index: Yes / No
Internet: Yes / No
ar

To:

1. The District Registrar of Societies,
Central Madras Region,
No.182, Bharathi Salai,
Royapettah, Chennai-600 014.
2. The President,
Representing the Governing Body of
Sri Ram Samaj,
(A Society registered under Societies Registration Act)
No.47, Arya Gowda Road,
West Mambalam, Chennai-600 033.

J.NISHA BANU, J.
AND



WEB COPY



W.A.No.1982 of 2025

M.JOTHIRAMAN, J.

ar

W.A.No.1982 of 2025

03.07.2025