



W.P No.34774 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.09.2025

CORAM:

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P No.34774 of 2025
and W.M.P.No.38945 & 38950 of 2025

Radiance Icon Owners Association
Ground Floor, B Block 1701,
Radiance Icon, Old No.37, New No.1167
Poonamallee High Road, Koyambedu
Chennai-600 107,
Rep. by its President
Selvaraju Duraisamy

..... Petitioner

Vs

1.The Branch Manager
Canara Bank,. Pallavan Nagar
Nerkundram Branch, Poonamallee
High Road, Koyambedu,
Chennai-600 107.

2.The District Registrar and
Registrar of Societies
District Registrar Office(Central)
Royapettah, Chennai-600 014.

3.Radiance Icon Owners Association
Ground Floor, B Block
Radiance Icon, Old No.37, New No.1167
Poonamallee High Road, Koyambedu
Chennai-600 107,
Rep. by its Secretary
Mr.Joseph Amalraj (Rival Group)

..... Respondents



W.P No.34774 of 2025

PRAYER: This writ petition is filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the first respondent Bank pertaining to the illegal permission granted to the third respondent (rival group) dated 01.09.2025 to operate the bank account of the petitioner Association for two months, quash the said permission and consequently direct the first respondent-Bank to permit the petitioner Association represented by its duly elected office bearers as recognized by the 2nd respondent in proceedings R.C No.1507/D5/2025 dated 4.08.2025 to exclusively operate the said bank account and to direct the third respondent to act strictly in accordance with law and not to interfere in any manner with the functioning of the petitioner Association's duly elected office bearers, as recognized by the second respondent in R.C No.1507/D5/2025 dated 4.08.2025

For Petitioner	:	M/s.S.Anusha
For R1	:	Mr.R.Sreedhar
For R2	:	Mr.R.Sasikmar
		Government Advocate
For R3	:	Mr.C.Prasanna Venaktesh

ORDER

This writ petition has been filed, to issue a Writ of Certiorarified Mandamus, calling for the records of the first respondent-Bank pertaining to the illegal permission granted to the third respondent (rival group) dated 01.09.2025 to operate the bank account of the petitioner Association for two months, quash the said permission and consequently



W.P No.34774 of 2025

direct the first respondent-Bank to permit the petitioner Association represented by its duly elected office bearers as recognized by the second respondent in proceedings RC No.1507/D5/2025 dated 4.08.2025 to exclusively operate the said bank account and to direct the third respondent to act strictly in accordance with law and not to interfere in any manner with the functioning of the petitioner Association's duly elected office bearers, as recognized by the second respondent in R.C No.1507/D5/2025 dated 4.08.2025

2. The case of the petitioner Association is that the petitioner is a registered Association under the Tamil Nadu Societies Registration Act. The tenure of the third respondent was expired on 05.12.2023. However, no elections were conducted thereafter. In the meanwhile, one of the owner of the Association has filed a writ petition in W.P No.1958 of 2024 seeking a direction to the second respondent/District Registrar to conduct a Registrar-supervised election within a stipulated time and this Court, by its order dated 23.08.2024 recording the steps for election to be taken and deemed to continuity inaction, the one-third of the flat owners of the Association in compliance with the bye-laws convened an extraordinary General Body Meeting on 16.02.2025. Thereafter, in strict



W.P No.34774 of 2025

WEB COPY

compliance with the bye-laws and after completing all mandatory procedures, elections were duly conducted. The elected body was then duly registered with the office of the second respondent and Form VII was issued on 02.04.2025 recognising the petitioner committee as lawful body. Thereafter, the third respondent despite the expiry of its tenure, conducted election on 06.04.2025 with an intention to mislead and create confusion among the residents of the Radiance Icon and its supporters. But, the petitioner Association had duly submitted Form VII which was subsequently accepted by the second respondent/District Registrar) thereby confirming the registration of the newly elected committee under the provisions of the Tamil Nadu Societies Registration Act. However, when the petitioner approached the first respondent Bank seeking permission to operate the bank account in accordance with the duly accepted Form VII, the first respondent instead of permitting such operation arbitrarily frozen the bank account. Thereafter, the third respondent(erstwhile committee) made a representation to the second respondent alleging that the Association's bank account had been frozen as a consequence of Form VII acceptance and the second respondent issued an interim order temporarily permitting the third respondent to operate the association's bank account for the limited purpose. On



W.P No.34774 of 2025

WEB COPY

14.07.2025, the second respondent sought a guidance from the Inspector General of Registration. On 31.07.2025, the Inspector General of Registration clarified that the interim permission granted to the third respondent erstwhile body was contrary to the provisions of Tamil Nadu Societies Registration Act and directed that operational control of the bank account should rest with the petitioner's recognized committee, based on the Form VII. In compliance with the directions of the Inspector General of Registration, the second respondent by its order dated 04.08.2025 revoked the earlier interim permission granted in favour of the third respondent and authorised the petitioner Association, to operate the bank account. The second respondent also instructed that necessary steps be taken to ensure that the Form VII approved committee assumes management of the society's affairs. After the order of the 2nd respondent dated 04.08.2025, the first respondent stated that the authorised signatory was being changed on Form VII. But, on 01.09.2025, the first respondent Bank permitted the expiry committee to operate the bank account for a limited period of two months. Challenging the same, the present writ petition is filed.



W.P No.34774 of 2025

WEB.COM

3. The learned counsel for the petitioner would submit that admittedly, the petitioner elected body was approved by the second respondent/District Registrar by accepting the Form VII application on 02.04.2025. Thereafter, the second respondent passed a statutory order on 04.08.2025 revoking the earlier permission granted in favour of the third respondent/erstwhile body in allowing the operate body for a short period and allowing the petitioner Association to operate the bank account on the basis of Form VII accepted by the second respondent/District Registrar. Subsequently, the very same first respondent cannot take U-turn by revoking the operation of the bank account by the petitioner Association and handed over to the third respondent which is impermissible one and is also a gross violation. Further, the learned counsel would further submit that already the third respondent's election was conducted and Form VII is pending before the second respondent. However, no order was passed for which the petitioner filed another writ petition before this Court in W.P No.18110 of 2025. Accordingly, he prays to allow this writ petition.

4. Per-contra, the learned counsel for the third respondent would submit that there were fair elections conducted by two rival groups one



W.P No.34774 of 2025

WEB.COM

by the petitioner and another by erstwhile management, in which the third respondent is a party. Admittedly, earlier, the second respondent issued an interim order in order to maintain the day-to-day affairs of the third respondent Association allowing them to operate the bank account for the limited purpose. It is true that subsequently, it was cancelled by the second respondent vide order dated 04.08.2025 and thereafter, the first respondent again allowed the erstwhile body of the third respondent to operate the bank account vide order dated 01.09.2025 only on the basis of Flat Owners' Association to function smoothly and already, a civil suit was filed before the IV Assistant City Civil Court in O.S No.4795 of 2025 by the third respondent seeking for the relief of declaration, declaring that the petitioner is not an elected body of the Association. However, there was no restrained order. Even then, the first respondent has power to authorise the third respondent to operate the bank account without prejudice to the rights of the parties before the civil court, where the suit with regard to the election dispute is pending. Accordingly, he prayed for an appropriate direction.

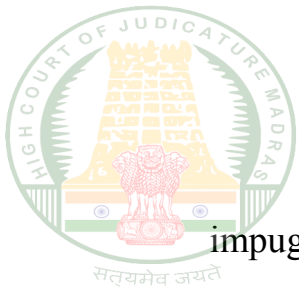
5. Heard the learned counsel on either side and perused the materials on record.



W.P No.34774 of 2025

WEB.COM

6. The facts of the case are not in dispute. There was an election dispute with regard to the management of Radiance Icon Owners Association for which there was a rival dispute in between the petitioner and the third respondent. It is an admitted fact that the third respondent is an erstwhile elected body and they were elected prior to 2023. The grievance of the petitioner is that after 2023, after expiry of the third respondent/erstwhile elected body, no election was conducted and thereby, the petitioner has filed this writ petition before this Court for conducting the election pursuant to which they claimed that election was conducted and the petitioner was duly elected by the members of the Radiance Icon Owners Association. Subsequently, it is an undisputed fact that Form VII application was accepted by the second respondent/District Registrar and the first respondent Bank allowed the petitioner to operate the bank account and subsequently, it was cancelled and granted in favour of the third respondent alone. Such action of the first respondent is not a certainable one. One hand , the second respondent approved the Form VII submitted by the petitioner Association, on the other hand, the first respondent Bank allowed the third respondent to operate the bank account. Such a inconsistent stand taken by the first respondent is impermissible one. Hence, the order



W.P No.34774 of 2025

WEB COPY

impugned is hereby liable to be set aside and accordingly, the same is hereby set aside. The petitioner Association is permitted to operate the bank account in terms of the order dated 04.08.2025 passed by the second respondent/District Registrar. However, this Court cannot express any opinion with regard to the merits of the election conducted in between the petitioner and the third respondent. Liberty is granted to the parties to challenge all those points before the civil court, where the election dispute is pending.

7. Accordingly, this writ petition is allowed. Consequently, connected miscellaneous petitions are closed. No costs.

17.09.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
uma

To

1. The Branch Manager
Canara Bank,. Pallavan Nagar
Nerkundram Branch, Poonamallee
High Road, Koyambedu,
Chennai-600 107.

Page 9 of 10



WEB COPY



W.P No.34774 of 2025

M.DHANDAPANI, J.

uma

2.The District Registrar and
Registrar of Societies
District Registrar Office(Central)
Royapettah, Chennai-600 014.

W.P No.34774 of 2025

17.09.2025