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W.P.No.36862 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2025

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.36862 of 2025
and
W.M.P.No.41233 of 2025

A.Kishore Kumar

... Petitioner

Vs.

1.The Inspector General of Registration,
Office of the Inspector General of Registration,
Santhome Road, Chennai.

2.The District Registrar,
Office of the South Chennai,
Chennai.

3.The Secretary,
Casaground Esquire Flat Owners Association (CEFOA),
8th Cross Street, Telephone Nagar,
Perungudi, Chennai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd respondent to dispose the application in Na.Ka.No.6694/E2/2024 dated 27.09.2024 filed by the petitioner for declaring the election held on 11.08.2024 as void and challenging the removal order of the petitioner from the post of President in Casagrand Esquire Flat Owners Association within a stipulated time.



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For Petitioner : Mr.S.Mahaveersshivaji

For Respondents : Mr.R.Sasi Kumar
Government Advocate [R1 & R2]

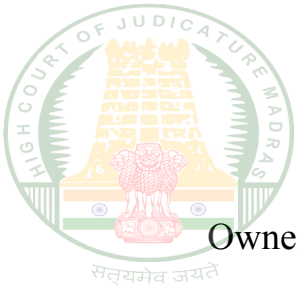
ORDER

This writ petition has been filed seeking to direct the 2nd respondent to dispose the application filed by the petitioner for declaring the election held on 11.08.2024 as void and challenging the removal order of the petitioner from the post of President in Casagrand Esquire Flat Owners Association in Na.Ka.No.6694/E2/2024 dated 27.09.2024, within the time stipulated by this Court.

2. Since no adverse order is being passed against the 3rd respondent, notice to the 3rd respondent is dispensed with.

3. Mr.R.Sasi Kumar, learned Government Advocate, accepts notice on behalf of the respondents 1 and 2. In view of the consent expressed by the learned counsel for the parties, this writ petition is taken up for final disposal at the admission stage itself.

4. The case of the petitioner is that Casaground Esquire Flat



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Owners Association (CEFOA) is an association registered with the 2nd respondent and the same has its own by-laws, which is approved by the competent authority. The apartment has 48 owners and all of them are members of the association. The petitioner was elected as the unopposed President of the said association on 09.07.2023 by annual general body meeting and his tenure ending by 08.07.2025 as per the bye-laws along with other office bearers. One Murali Krishnan, erstwhile president, who happened to be an advocate had conspired with the service provider to the apartment, thereby misappropriated to the tune of Rs.7,40,000/-, due to which, the members were dissatisfied with him and after completion of three years tenure, the petitioner was elected as the President. When the misappropriation was brought to the knowledge of the members, the said Murali Krishnan got annoyed with the petitioner and he colluded with the Secretary and treasurer and convened a General Body Meeting on 11.08.2024 with the consent of the petitioner and without issuing any notice to the petitioner, he moved a no confidence motion and removed the petitioner from the post of President. Aggrieved by the same, the petitioner has made a complaint before the 2nd respondent on 27.09.2024 for declaring the removal of the petitioner dated 11.08.2024 as null and void. During the pendency of the proceedings, the election notification



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was issued on 06.09.2025 for the election to be held on 28.09.2025. In order to defer the election, the petitioner has made a representation dated 09.09.2025 to the respondents. Hence, the petitioner has filed this writ petition.

5. Though very many grounds have been raised in this writ petition, learned counsel for the petitioner submits that, it would suffice, if this Court issues a direction to the 2nd respondent to consider and dispose the petitioner's application dated 27.09.2024, within a time frame that may be fixed by this Court.

6. This Court gave its careful consideration to the arguments advanced by the learned counsel for the petitioner and perused the materials available on record.

7. Admittedly, the petitioner was removed from the post of President of the said association in the meeting held on 11.08.2024. If at all the petitioner is aggrieved by the same, he has to approach the competent Civil Court. Without doing so, filing a complaint before the 2nd respondent or filing the present writ petition is not sustainable. Hence,



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this Court cannot go into the merits or otherwise the claim made by the petitioner.

8. Therefore, this Writ Petition is dismissed granting liberty to the petitioner to approach the competent Civil Court for appropriate orders.

No costs.

25.09.2025

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
sp

To

- 1.The Inspector General of Registration,
Office of the Inspector General of Registration,
Santhome Road, Chennai.
- 2.The District Registrar,
Office of the South Chennai,
Chennai.



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M.DHANDAPANI, J.

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