



WEB COPY

WP No. 46669 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-11-2025

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

**WP No. 46669 of 2025
& WMP.Nos.52076 & 52079 of 2025**

Dr.J.Ranganathan
Residing at 2-60-C/2-85, Doctor's
Colony, Reddippatty Jagir,
Ammapalayam, Salem - 636 302

Petitioner(s)

Vs

1. The Registrar Of Societies,
Chennai South,
Fanepet, Nandanam,
Chennai – 600 035

2.The Inspector General of
Registration,
No. 100, Santhome High Road,
Chennai – 600 028

3.The Indian Society of
Anaesthesiologists (ISA),
A Society Registered under the
Societies Registration Act, 1975,
Registration No. 8/1999, Represented
by its Secretary, Having its Registered
Office At No. 1203, Casagrand Monte
Carlo, Annasalai, NGR Colony,
Saidapet, Chennai – 600 015,
Also at Administrative Office at
No. 27-A, Rattan Nagar, Tripuri,
Patiala, Punjab – 147 001.

Respondent(s)

**PRAYER**

This writ petition is filed under Article 226 of the Constitution of India, directing the 1st respondent - the Registrar of Societies, to conduct a proper enquiry under Section 36 of the Tamil Nadu Societies Registration Act, 1975, with respect to the illegalities and irregularities pertaining to the election of the 3rd Respondent Society conducted between 1st to 5th August, 2025 pursuant to the illegal amending of the bye-laws of the 3rd Respondent Society in the Annual General Body Meeting held on 23rd and 24th November, 2024 and pass such further or other orders that this Honble Court may deem fit and proper in the circumstances of the present case and thus render Justice.

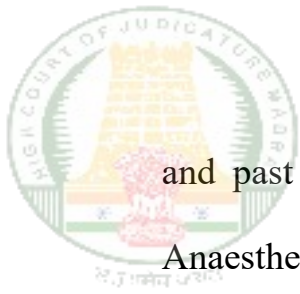
For Petitioner(s): Mr.V.Chandrasekaran
for Mr.R.Narayanan

For Respondent(s): Mr.Bharanidharan,
Special Government Pleader

ORDER

This writ petition is filed seeking for a direction to the first respondent - the Registrar of Societies, to conduct a proper enquiry under Section 36 of the Tamil Nadu Societies Registration Act, 1975, with respect to the illegalities and irregularities pertaining to the election of the 3rd Respondent Society conducted between 1st to 5th August, 2025 pursuant to the illegal amending of the bye-laws of the 3rd Respondent Society in the Annual General Body Meeting held on 23rd and 24th November, 2024.

2.The case of the petitioner is that the petitioner is a senior life member



and past office-bearer of the third respondent society, the Indian Society of Anaesthesiologists (ISA). The third respondent society conducted the Annual General Body Meeting (AGBM) held on 23-24 November 2024, without complying with the mandatory notice, agenda circulation, and procedural requirements under its own Constitution/Bye-laws and the Tamil Nadu Societies Registration Act, 1975 and further the third respondent society carried out constitutional amendments allegedly approved therein, and subsequently conducted election process from 1-5 August 2025. Therefore, the petitioner sent representations dated 18.11.2025 and 22.11.2025 to the first respondent seeking to take action against the third respondent society under Section 36 of the Tamil Nadu Societies Registration Act, 1975. However, no steps have been taken by the first respondent till date. Hence, the present writ petition has been filed with the above said prayer.

3.The learned counsel for the petitioner would submit that a direction be issued to the first respondent to conduct an enquiry under Section 36 of the Tamil Nadu Societies Registration Act, 1975, with respect to the illegalities and irregularities pertaining to the election of the 3rd Respondent Society conducted between 1st to 5th August, 2025 pursuant to the illegal amending of the bye-laws of the 3rd Respondent Society in the Annual General Body Meeting held on 23rd and 24th November, 2024 and to pass appropriate orders.



4. Per contra, the learned Special Government Pleader would submit that in respect of amendment of by-laws or selection of office bearers of the society, it is domain of the civil court and this Court cannot entertain the same under Article 226 of the Constitution of India. He would also rely upon an order of the Full Bench of this Court in the case of ***C.M.S. Evangelical Suvi David Memorial Higher Secondary School Committee Vs. The District Registrar*** [2005 (2) CTC 161], dated 24.03.2005, wherein the Full Bench of this Court had held that the Civil Court is the competent authority to decide the validity of an election.

5. Heard both sides and perused the materials available on record.

6. The grievance of the petitioner is that the third respondent society has amended the by-laws of the society without following the due process of law and thereafter, has conducted election in the month of August 2025 for appointment of office bearers of the society. However, if there are any irregularities in the management of the affairs of the society, the petitioner has to approach the competent civil court for appropriate order. Therefore, the prayer sought for by the petitioner in the present writ petition cannot be granted by this Court, under Article 226 of the Constitution of India.

7. Therefore, the writ petition is disposed of with liberty to the petitioner



to approach the competent civil court for appropriate orders. In case of the petitioner approaching the competent civil court for appropriate orders, the civil court is directed to decide the issue on merits, without getting influenced by the observations made by this Court in this writ petition. No costs. Consequently, the connected miscellaneous petitions are closed.

27-11-2025

Tsg

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Registrar Of Societies,
Chennai South,
Fanepet, Nandanam,
Chennai – 600 035

2. The Inspector General of
Registration,
No. 100, Santhome High Road,
Chennai – 600 028



WEB COPY

WP No. 46669 of 2025



M.DHANDAPANI J.
Tsg

WP No. 46669 of 2025

27-11-2025