



W.P.(MD)No.4576 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.4576 of 2025

M.Annamalai

... Petitioner

-VS-

1.The Inspector General of Registration,
Santhome High Road,
Chennai - 600004.

2.The Deputy Inspector General of Registration,
Collector Office Building,
Ramanathapuram,
Ramanathapuram District.

3.The District Registrar (Administration),
Karaikudi, Sivagangai District.

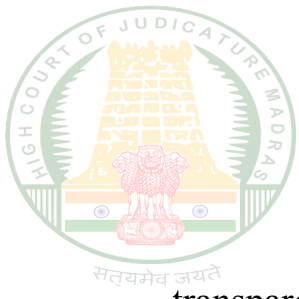
4.P.Nagarajan

5.M.Senthilpandi

6.C.Muthukumar Pillai

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to consider the petitioner's representation dated 31.01.2025, to constitute a committee of 6 members, comprising respondents 4 to 6 as three members and another three members from the erstwhile committee headed by the petitioner to ensure



W.P.(MD)No.4576 of 2025

transparency in the administration of the society and the financial propriety carried on in the Thirupathur Thenmapattu Thambipatti Soliya Vellalar Uravinmurai Nalasangam till the disposal of the writ petitions in W.P.(MD)No. 24560 of 2022, W.P.(MD)No.1493 of 2023 and W.P.(MD)No.3638 of 2023, pending before this Court.

For Petitioner : Mr.V.P.Rajan

For R1 to R3 : Mr.R.Sureshkumar
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to the respondents 1 to 3 to consider the petitioner's representation dated 31.01.2025, to constitute a committee of 6 members, comprising the respondents 4 to 6 as three members and another three members from the erstwhile committee headed by the petitioner to ensure transparency in the administration of the society and the financial propriety carried on in the Thirupathur Thenmapattu Thambipatti Soliya Vellalar Uravinmurai Nalasangam till the disposal of the writ petitions in W.P.(MD)No. 24560 of 2022, W.P.(MD)No.1493 of 2023 and W.P.(MD)No.3638 of 2023, pending before this Court.



W.P.(MD)No.4576 of 2025

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2. With the consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

3. Since no adverse orders are going to be passed against the respondents 4 to 6, notice to the respondents 4 to 6 is hereby dispensed with.

4. According to the petitioner, he was elected as the President of the Society and held the position until 07.05.2022. A special general body meeting was then convened on 08.05.2022 to form an ad hoc committee of seven members for a period of three months to manage the administration until a new committee is formed. However, the respondents 4 to 6, taking advantage of the chaos in the special general body meeting, inserted their own resolutions into the minutes book and elected themselves as President, Secretary, Treasurer, along with four other members as Executive Committee members. The fifth respondent sent Form-VII for approval to the third respondent by letter dated 09.05.2022. The third respondent unilaterally returned Form-VII to the fourth respondent vide letter dated 29.08.2022. The said letter was put on challenge before this Court by the fourth respondent and the same is pending.



W.P.(MD)No.4576 of 2025

WEB COPY

5. Further, according to the petitioner, the third respondent conducted an enquiry and passed an order on 21.11.2022, directing the petitioner and the respondents 4 to 6 to approach the jurisdictional civil court for appropriate relief. The petitioner has challenged the said order in W.P.(MD)No.3638 of 2023, which is still pending. As the founder of the Society and in order to protect its property and revenue, the petitioner submitted a representation on 31.01.2025 to the respondents, requesting to constitute a six-member committee both from the petitioner's side as well as from the side of the respondents 4 to 6, to manage the administration under the supervision of a representative from the third respondent's office. Since no action has been taken, the petitioner has approached this Court by filing the present Writ Petition.

6. Heard the learned counsel appearing for the parties.

7. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the



W.P.(MD)No.4576 of 2025

representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of the India and direct them to consider the same within a stipulated time.

8. In the light of the above observations, there shall be a direction to the third respondent herein to consider the petitioner's representation dated 31.01.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner and the respondents 4 to 6 herein, as well as all other persons, who may be interested in the subject matter, within a period of four weeks from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the concerned third respondent to consider the same on its own merits.

9. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

NCC : Yes / No
Index : Yes / No
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20.02.2025



W.P.(MD)No.4576 of 2025

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W.P.(MD)No.4576 of 2025

VIVEK KUMAR SINGH, J.

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W.P.(MD)No.4576 of 2025

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