



W.P.(MD)No.4839 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.4839 of 2025

and WMP (MD) Nos.3512 & 3513 of 2025

1. K.R.M.Kishore Kumar,
 2. Kuppusamitimakkondunarasimman,
 3. K.K. Dinesh,
 4. S.S.Kishore Lal,
 5. Sudharsan S.R.,
 6. A.B.Suresh,
 7. Suresh V.V.,
 8. M.M.Dhanasekaran,
 9. Kuppalamakrishnanbaskar
- : Petitioners

Vs.

1. State of Tamil Nadu,
Represented by its Principal Secretary
Department of Registration
(TNREGINET),
Government of Tamil Nadu.



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2. The District Registrar For Societies (Administration),
Madurai South, Palace Road,
Madurai District 625001.

3. Sourashtra High School Council,
Represented by its Secretary
Registration Number SRG/madurai South/5/1959,
110, Kamarajarsalai,
Madurai 625009.

4. C.R.Devadoss,
Election Officer, 2025-2028
Elections Sourashtra High School Council
110, Kamarajarsalai, Madurai 625009.

5. N.R.V. Jawaharlal,
Election Officer, 2025-2028 Elections
Sourashtra High School Council
110, Kamarajarsalai, Madurai 625009.

6. P.S.Ramnath

7. A.R.Jagannath

8. G.P.Santharam

9. A.B.Suginay

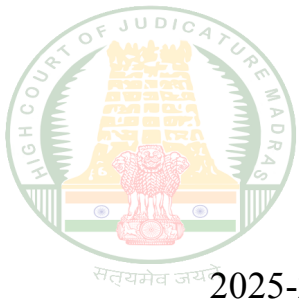
10. T.R.Ragunath

11. N.R.Balakuma

12. L.S.Venkateshbabu

13. T.K.Damodaran : Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd respondent to direct the 3rd respondent to conduct the election for the period between



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2025-2028 under a neutral officer as under Section 26(4) of Tamil Nadu societies Registration Act, 1975.

For Petitioners : Mr.Ramasamy
for Mr.S.Sakthi Siddharth
For Respondents : Mr.R.Suresh Kumar
Additional Government Pleader
for R1 & R2
Mr.S.Poornachandran for R3 & R7

ORDER

This Writ Petition has been filed seeking a direction to the second respondent to direct the third respondent to conduct the election for the period between 2025-2028 under a neutral officer as under Section 26(4) of Tamil Nadu societies Registration Act, 1975.

2. Short facts shorn of elaboration of the petitioners are that the first petitioner is a senior and neutral member of the Sourashtra linguistic minority community, actively involved in community welfare and education. Petitioners Nos.2 to 9 are the members of the Sourashtra High School Council and candidates for the Executive Committee Elections for the term of 2025-2028. They represent the United



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Opposition Panel, contesting against the incumbent members (Respondents Nos. 6 to 13), who are seeking re-election. The election notification was published on 25.01.2025 and the names of the candidates were posted on the school notice board on 05.02.2025. The election is scheduled to be held within the Sourashtra High School campus, with Respondents Nos. 4 and 5, serving as Election Officers.

3. The petitioners challenge this election notification on the ground that it violates their constitutional rights and claiming that it involves corrupt practices, maladministration, and cronyism in the election process. In this regard, they submitted a detailed representation to the second respondent to appoint neutral officer as contemplated under Section 26(4) of the Tamil Nadu Society Registration Act, 1975. Since no action has been taken, the petitioner has now filed this Writ Petition.

4. Though very many grounds have been raised in this writ petition, learned counsel for the petitioner submitted that, it would suffice, if this Court issues a direction to the second respondent to consider the representation of the petitioner and pass appropriate orders, within a time frame that may be stipulated by this court.



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5. Heard both sides.

6. 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 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 India and direct them to consider the same within a stipulated time.

7. In the light of the above observations, there shall be a direction to the second respondent to consider the petitioners' representation dated 19.02.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, as well as all other persons, who may be interested in the subject matter. 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



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the second respondent to consider the same on its own merits.

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8. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

21.02.2025

Index : Yes / No

Internet : Yes / No

PKN

Note: Issue order copy today.

To

1. State of Tamil Nadu,
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VIVEK KUMAR SINGH, J.

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