



W.P.(MD).No.6268 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.6268 of 2025

and

W.M.P.(MD)No.4616 of 2025

K.T.G.Mahendran

... Petitioner

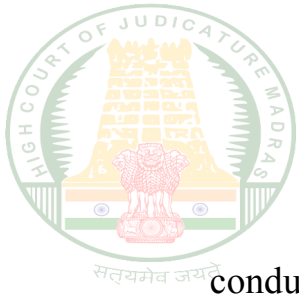
-vs-

1. The District Registrar,
Registration Department,
Dindigul,
Dindigul District.

2. The Election Officer,
Chinnalapatti Devangar Mahajana Sabai,
Chinnalapatti,
Dindigul District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to take action on the representation of the petitioner dated 27.02.2025 under section 36 of the Tamil Nadu Societies Registration Act, 1975 seeking to stop the illegal election of the Chinnalapatti Devangar Mahajana Sabai bearing registration No.27/2011 and consequently direct the 1st respondent to conduct the election in accordance with the by laws of Chinnalapatti Devangar Mahajana Sabai bearing registration No.27/2011 without following the procedure contemplated under the by laws of the society an election is scheduled to be



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conducted on 09.03.2025, therein Form-VII has not been approved by the respondent.

For Petitioner : Mr.R.J.Karthick

For Respondents : Mr.N.Ramesh Arumugam (R1)

Government Advocate

ORDER

This writ petition has been filed seeking a direction to the first respondent to take action on the representation of the petitioner dated 27.02.2025 under Section 36 of the Tamil Nadu Societies Registration Act, 1975 seeking to stop the illegal election of the Chinnalapatti Devangar Mahajana Sabai bearing registration No.27/2011 and also to conduct the election in accordance with the By Laws of Chinnalapatti Devangar Mahajana Sabai bearing registration No.27/2011, since without following the procedure contemplated under the by laws of the society an election is scheduled to be conducted on 09.03.2025, therein Form-VII has not been approved by the respondent.

2. By consent of both parties, this writ petition is disposed at the stage of admission itself. Considering the nature of the order going to be passed in this writ petition, notice to the second respondent is dispensed with.



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3. The petitioner made a representation to the respondent dated 27.02.2025, with regard to conduct of the election which is scheduled to be conducted on 09.03.2025, without following the procedure contemplated under the By Laws of Chinnalapatti Devangar Mahajana Sabai bearing registration No.27/2011. Since the said representation was not considered, the petitioner has filed the present Writ Petition.

4. 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.

5. In the light of the above observations, there shall be a direction to the first respondent to consider the petitioner's representation dated 27.02.2025, on its own merits and pass appropriate orders in accordance with law, after



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giving due opportunity to the petitioner and all other persons, who may be necessary parties in this case, within a period of one month 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 respondents to consider the same on its own merits.

6. With the above observations and directions, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

07.03.2025

NCC : Yes/No
Index : Yes / No
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Note: Issue order copy on 07.03.2025.



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TO:-

1. The District Registrar,
Registration Department,
Dindigul,
Dindigul District.



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VIVEK KUMAR SINGH, J.

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Order made in
W.P.(MD)No.6268 of 2025

Dated:
07.03.2025