



W.A.(MD) No.843 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved on	08.08.2025
Pronounced on	21.08.2025

CORAM :

**THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
and
THE HONOURABLE MS.JUSTICE R.POORNIMA**

**W.A.(MD) No.843 of 2024
and
CMP(MD)Nos.6302 and 7803 of 2024**

S.Sahadevan

... Appellant

-VS-

**1. The Inspector General of Registration,
No.100, Santhome High Road,
Chennai-600 028.**

**2. The District Registrar (Admin),
Madurai North,
Rajakambeeram,
Madurai-625 107.**

**3. Tamil Nadu Naidu Mahajana Sangam,
Registration No.56/1972,
No.15B, Ayyanar Kovil Street,**

Page 1 of 23



W.A.(MD) No.843 of 2024

WEB COPY

Anupanadi,
Madurai-625 009.

4. Mr.B.Subburaj,
Chief Election Officer,
Tamil Nadu Naidu Mahajana Sangam,
No.2/63, Kalyanavinayagar Kovil Street,
Pandiyar Nagar,
Madurai-625 006.

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent against the order
passed in WP(MD)No.6164 of 2024 dated 18.03.2024.

For Appellants	: Mr.K.Govindarajan, Senior Counsel for Mr.R.Murali
For R1 & R2	: Mr.S.Shaji Bino Special Government Pleader
For R3 & R4	: Mr.C.Sundaravadivel

J U D G M E N T

[Judgment of the Court was made by A.D.JAGADISH CHANDIRA, J.]

This intra-court appeal has been filed challenging the order of
the learned Single Judge, dated 18.03.2024, dismissing the WP(MD) No.
6164 of 2024.



W.A.(MD) No.843 of 2024

WEB COPY

2. The case on hand pertains to the election of the Executive Committee Members to the Tamil Nadu Naidu Mahajana Sangam. For the sake of convenience, the parties are referred to as per their rank in the writ petition.

3. The writ petitioner is a member of the 3rd respondent Sangam. Admittedly, the election to the said Sangam was lastly conducted in the year 1999. Subsequently, with regard to the disputes relating to the affairs of the Sangam, W.P.Nos.22948 and 30567 of 2002 were filed by some members of the Sangam before the Principal Seat of this Court and by a common order dated 17.09.2018, the above writ petitions were disposed of with the following directions:

*"26. In the result, the following orders are passed
in this writ petition:*

(i) The impugned order is set aside.

(ii) The matter is remitted back to the Registrar for



W.A.(MD) No.843 of 2024

WEB COPY

reconsideration.

(iii) *The resolution of the Executive Committee dated 04.09.1984 and the General Body Resolution dated 06.01.1985 pursuant to the amendment made in By-law 5(e) shall be taken into account and necessary orders shall be passed by the Registrar in registering such amendments under Section 12(3) and 12(4) of the Act.*

(iv) *Once such registration and approval is given by the Registrar, no doubt the resolution, amending by-law 5(e) will take effect from 04.09.1984.*

(v) *By virtue of such amendment in By-law 5(e), who are all the eligible members, who had already become members of the Society, can continue as members.*

(vi) *After giving such registration and approval of the Bylaw 5(e), the Registrar can also give a reasonable time, not more than three months to the petitioners Society, to induct new members of course, based on the eligibility criteria fixed as per the By-law 5(e).*

(vii) *Once, the enrolment of new members within stipulate time is over, their eligibility and induction can be verified by the Registrar and ultimately, the final list of approved members of the Society can be released by*



W.A.(MD) No.843 of 2024

WEB COPY

him, within a reasonable time, not more than one month, thereafter.

(viii) Once, the eligible list of members as indicated above is released by the Registrar, a date for election, to elect the governing body shall also be fixed by the Registrar, within two months period. Thereafter, on the date of election, the Registrar or his nominee can supervise the election process, ultimately, the new governing body can be elected.

(ix) Once the new governing body is elected and if the set of new office bearers sent for approval is accepted and approved by the Registrar, such new governing body, shall take care of the rendition of accounts to the Registrar and in that case, after getting necessary orders for condonation with regard to delay of rendition of accounts, the same shall be finalised by the Registrar thereafter.

(x) In view of the aforesaid orders and direction, the consequential order dated 29.05.2002 is also set aside as it would have no effect."



W.A.(MD) No.843 of 2024

WEB COPY

4. Pursuant to the abovesaid directions, the District Registrar had issued the communication dated 12.02.2024 impugned in the present writ petition, fixing the election date as 24.03.2024. At that stage, the writ petitioner filed W.P(MD)No.6164 of 2024 challenging the said communication dated 12.02.2024 contending that the 2nd respondent without complying with the direction Nos.(vii) and (viii) in the common order dated 17.09.2018, had proceeded to conduct the election and that on the date of the impugned notification, the members list in Form-VI was not available in the office. It was also contended that the 2nd respondent had not nominated anybody to supervise the election process and thereby sought to set aside the impugned communication therein.

5. The 3rd respondent Sangam had filed counter contending that the election notification was issued on 01.03.2023 informing the members of the 3rd respondent Sangam about the election to be held on 24.03.2024



W.A.(MD) No.843 of 2024

WEB COPY

for electing 33 Executive Committee Members of the Sangam and the said election notification was published in a Tamil daily newspaper, "Malai Malar" on 01.03.2024 and all the procedure for election was done in accordance with law and in compliance of the directions issued by the Court in W.P.Nos.22948 and 30567 of 2002, dated 17.09.2018.

6. The learned Single Judge holding that since the election process has started and also holding that in W.P.Nos.22948 and 30567 of 2002, the Principal Seat of this Court had issued certain directions as early as on 17.09.2018 and that the new set of members who wanted to join as members in the Sangam had not approached during the last six years and that they have come at the last moment, had declined to interfere with the impugned communication therein and dismissed the writ petition. Challenging the said order, the present writ appeal has been filed.



W.A.(MD) No.843 of 2024

WEB COPY

7. Mr.K.Govindarajan, learned counsel for the petitioner would submit that admittedly the last election to the Sangam was conducted in the year 1999. Subsequently, certain members moved W.P.Nos.22948 and 30567 of 2002 before the Principal Seat and the Court finding that elections have not been conducted for a long time, had by a common order dated 17.09.2018, disposed of the writ petitions issuing certain directions. However, the election was conducted without following the directions issued in W.P.Nos.22948 and 30567 of 2002. As per the said directions, the District Registrar is the person authorised by the Court to conduct the election after publishing the members list of the Sangam, whereas, in this case, the 4th respondent / Election Officer conducted the election without finalising the membership of the Sangam. Further, the District Registrar had not given sufficient time for enrollment of new members and no time was given to finalise the members list and thereby the 2nd respondent/District Registrar has failed to comply with the directions of



W.A.(MD) No.843 of 2024

WEB COPY

the Court and had permitted the 4th respondent to conduct the election.

The learned Single Judge without considering the same, holding that the election process has started and that he would not be justified in interfering, has dismissed the writ petition. Thus, he would seek to set aside the impugned order of the learned Single Judge.

8. Mr.S.Shaji Bino, learned Special Government Pleader appearing for the respondents 1 and 2 would submit that in due compliance of the directions issued in W.P.Nos.22948 and 30567 of 2002, dated 17.09.2018, the election has been conducted. Though the petitioner contended that the 4th respondent without publishing the membership of the Sangam and without giving sufficient time for enrollment of new members, had conducted the election, as rightly held by the learned Single Judge, new set of members who wanted to join as members in the Sangam had not approached during the last six years and that they had come at the last moment. He would further submit that pursuant to the directions



W.A.(MD) No.843 of 2024

WEB COPY

issued in W.P.Nos.22948 and 30567 of 2002, dated 17.09.2018, the 3rd respondent had submitted Form-VI to the 2nd respondent herein on 05.07.2021, whereas the 2nd respondent had declined to take the same on file on the ground of delay and thereby the Sangam was constrained to file W.P(MD)No.5434 of 2022 and pursuant to the order passed in the said writ petition, the Sangam submitted Form-VI to the 2nd respondent on 29.11.2023.

9. The learned Special Government Pleader would further submit that the 2nd respondent informed the Sangam that as per the Societies Registration Act, Form-VI have to be filed only after placing the same in the general body meeting after the conclusion of the election of new office bearers and had directed to file Form-VII. Thereafter, when the Sangam filed Form-VII, the 2nd respondent returned the same finding certain defects and subsequently, corrected list of members in Form-VII was filed on 29.11.2023. However, since the annual reports of the Sangam



W.A.(MD) No.843 of 2024

WEB COPY

had been filed and was pending, the 2nd respondent informed that Form No.VII cannot be taken on file and directed the Sangam to file a combined members list and thereafter, a list of members including the voters list of the Sangam was submitted to the 2nd respondent on 02.02.2024. Pursuant thereto, enrollment of new members, their eligibility and induction were verified by the 2nd respondent and thereby the 2nd respondent had fixed the date for election as 24.03.2024 vide his letter dated 12.02.2024 and then election was conducted in accordance with the directions issued by the Principal Seat of this Court in W.P.Nos.22948 and 30567 of 2002, dated 17.09.2018. The learned Single Judge finding that at the last moment the petitioner had approached this Court to stall the election process, had rightly dismissed the writ petition which does not require interference by this Court.

10. Per contra, Mr.C.Sundaravadivel, learned counsel appearing for the respondents 3 and 4 would submit that in W.P.Nos.22948 and



W.A.(MD) No.843 of 2024

WEB COPY

30567 of 2002 the Principal Seat of this Court as early as on 17.09.2018, had issued certain directions regarding the holding of election to the Sangam. Pursuant to the said directions, the 3rd respondent had submitted Form-VI to the 2nd respondent herein on 05.07.2021, whereas the 2nd respondent had declined to take the same on file on the ground that it was submitted belatedly and thereby the Sangam was constrained to file W.P(MD)No. 5434 of 2022 challenging the order passed by the 2nd respondent dated 09.07.2021 as illegal and consequently to direct the 2nd respondent to take on file Form No.VI of the Sangam and this Court by an order dated 27.07.2022, had allowed the writ petition and directed the 2nd respondent to register Form No.VI as submitted by the 3rd respondent Sangam.

11. The learned counsel for the respondents 3 and 4 would further submit that pursuant to the direction issued in W.P(MD)No.5434 of 2022 dated 27.07.2022, the 3rd respondent Sangam submitted Form-VI to the 2nd respondent on 29.11.2023. The 2nd respondent informed the Sangam



W.A.(MD) No.843 of 2024

WEB COPY

that as per the Societies Registration Act, Form-VI have to be filed only after placing the same in the general body meeting after the conclusion of the election of new office bearers of the Sangam along with annual filing like audit report, and other accounts etc., of the Sangam, and the 2nd respondent had instructed the Sangam to file Form-VII. Accordingly, on 14.11.2022, the Sangam had submitted Form-VII consisting of 4 lists to the 2nd respondent. The 2nd respondent vide his letter dated 20.11.2023 informed that there is a difference in the Form-VI obtained from the Mannar Thirumalai Naicker College and the Form-VI submitted by the Sangam in respect of the Mannar Thirumalai Naicker College and had directed to submit the correct list of members. Pursuant to the same, on 29.11.2023, corrected list in Form-VII of the Mannar Thirumalai Naicker College was filed and subsequently on 30.01.2024, a representation was made to the 2nd respondent to fix the date for election. On 31.01.2024, the 2nd respondent had informed that since the annual reports of the Sangam had been filed and was pending, Form No.VII cannot be taken on file and



W.A.(MD) No.843 of 2024

WEB COPY

directed the Sangam to file a combined members list to verify the same in respect of the election to be held to the Sangam and thereby as instructed by the 2nd respondent, a list of members including the voters list of the Sangam was submitted to the 2nd respondent on 02.02.2024. The enrollment of new members, their eligibility and induction were verified by the 2nd respondent and thereby the 2nd respondent had fixed the date for election as 24.03.2024 vide his letter dated 12.02.2024. Pursuant to the same, the schedule of election was fixed as under:

Date of Election	24.03.2024 (Sunday)
Place of Election	Ramvilas Alagarsamy Naidu Mandapam, Angaiyarkani Thirukan Mandapam, No.6, Vaigai Vadakarai, Madurai-20.
Election Time	09.00 AM to 03.00 PM
Date of filing nomination	07.03.2024 to 12.03.2024
Date of Scrutiny of nomination	13.03.2024
Date of withdrawal of nomination	14.03.2024 upto 03.00 PM
Final publication of voters list	14.03.2024 at 05.00 PM
Declaration of election result	24.03.2024 at 07.00 PM



W.A.(MD) No.843 of 2024

WEB COPY

12. The learned counsel for the Sangam would further submit that thereafter, as per the resolution of the Executive Council of the 3rd respondent Sangam dated 29.02.2024, Mr.B.Subburaj/4th respondent was appointed as the Chief Election Officer in order to conduct the election for electing the President, General Secretary, Treasurer, Vice Presidents-5 Nos and Deputy Secretary-5 Nos from among the 33 Executive Committee Members of the Sangam to be elected. As per the said resolution dated 29.02.2024 of the Sangam, Mr.Captain A.R.Rajendran and Dr.G.Ragupathi were appointed as Assistant Election Officers for holding the election to the Sangam. On 01.03.2024, the election notification was published in tamil daily newspaper, "Malai Murasu". Thereafter, by letter dated 04.03.2024 addressed to the 2nd respondent, the 3rd respondent Sangam requested for appointment of Election Observer. Accordingly, the 2nd respondent by letter dated 15.03.2024 had appointed the Sub Registrar, Vadipatti, as the Election Observer. Subsequently, the election was



W.A.(MD) No.843 of 2024

WEB COPY

conducted on 24.03.2024 and results were declared on the same day at 07.00 p.m.

13. The learned counsel for the respondents 3 and 4 would further submit that though the learned Single Judge has rendered a finding that direction No.(vi) was not complied, it had been duly complied with and only after complying with all the directions issued in W.P.Nos.22948 and 30567 of 2002, election had been conducted and Form-VII containing the elected Executive Committee Members of the Sangam, had also been filed before the 2nd respondent. However, on account of the interim order granted by this Court not to approve the same, the elected members are unable to assume office and management of the Sangam. He would further submit that the writ petitioner who is disgruntled with the smooth conduct of election to the Sangam which happened after a long time, has filed the writ petition attempting to curtail the functioning of the Sangam. The learned Single Judge rightly finding that the petitioner has



W.A.(MD) No.843 of 2024

approached this Court at the fag end to derail the process of election, has dismissed the writ petition and thereby he would seek to dismiss the writ appeal.

14. Heard both sides.

15. Perusal of records shows that while W.P.Nos.22948 and 30567 of 2002 was filed with regard to the disputes relating to the affairs of the 3rd respondent Sangam, the Principal Seat of this Court had by a common order dated 17.09.2018, disposed of the said writ petitions. Admittedly, consequent to the passing of the said order, the Sangam had submitted Form-VI on 05.07.2021. Since it was rejected on the ground of delay, the Sangam had filed W.P(MD)No.5434 of 2022 and this Court by order dated 27.07.2022, had directed the 2nd respondent to take on file Form-VI of the Sangam. Pursuant to the said direction, the 3rd respondent Sangam submitted Form-VI to the 2nd respondent on 29.11.2023. The 2nd respondent informed the Sangam that as per the Societies Registration



W.A.(MD) No.843 of 2024

WEB COPY

Act, Form-VI have to be filed only after placing the same in the general body meeting after the conclusion of the election of new office bearers of the Sangam and had instructed the Sangam to file Form-VII.

16. Perusal of records further discloses that on 14.11.2022, the Sangam had submitted Form-VII consisting of 4 lists to the 2nd respondent. On receipt of the same, the 2nd respondent vide his letter dated 20.11.2023 finding certain defects, had directed the Sangam to submit the corrected list of members. Pursuant to the same, on 29.11.2023, corrected list of members was filed and subsequently on 30.01.2024, a representation was made to the 2nd respondent to fix the date for election. On 31.01.2024, the 2nd respondent had informed that since the annual reports of the Sangam had been filed and was pending, Form No.VII cannot be taken on file and had directed the Sangam to file a combined members list and thereby, a list of members including the voters list of the Sangam was submitted to the 2nd respondent on 02.02.2024. The enrollment of new members, their



W.A.(MD) No.843 of 2024

eligibility and induction were verified by the 2nd respondent and thereby the 2nd respondent had fixed the date for election as 24.03.2024 vide his letter dated 12.02.2024. Pursuant to the directions issued by the 2nd respondent, election notification was published in a tamil daily newspaper, "Malai Murasu" on 01.03.2024, informing the members of Sangam about the date of election namely, 24.03.2024. Thereafter, the Sangam appointed Mr.B.Subburaj / 4th respondent as the Chief Election Officer apart from two Assistant Election Officers and after following due procedure, information was given to the 2nd respondent/District Registrar who had by communication dated 15.03.2024, appointed the Sub Registrar, Vadipatti, as the Election Observer. As per the schedule of election, the date of filing of nominations was fixed between 07.03.2024 and 12.03.2024, scrutiny of nominations was done on 13.03.2024, date of withdrawal of nominations was fixed on 14.03.2024 upto 03.00 p.m and the final publication of voters list was fixed on 14.03.2024 upto 05.00 p.m, based on which, the election was conducted on 24.03.2024.



W.A.(MD) No.843 of 2024

WEB COPY

17. In the considered opinion of this Court, the election had been conducted after following the directions issued in W.P.Nos.22948 and 30567 of 2002, dated 17.09.2018. The writ petitioner at the last moment, had filed the writ petition attempting to derail the election process. However, the learned Single Judge without going into the above aspect of due compliance of the directions issued in W.P.Nos.22948 and 30567 of 2002, dated 17.09.2018, finding that the petitioner had approached the Court belatedly, had dismissed the writ petition. On perusal of record, we find that apart from the delay, the directions issued by the Principal Seat of this Court in W.P.Nos.22948 and 30567 of 2002 dated 17.09.2018 have been duly followed and the election has been conducted.

18. In view of the above, we do not find any reason to interfere with the order of the learned Single Judge. Accordingly, the Writ Appeal stands dismissed. No costs. In view of the dismissal of the writ appeal,



W.A.(MD) No.843 of 2024

WEB COPY

the interim order granted on 29.04.2024 stands vacated and the 2nd respondent / District Registrar is directed to approve forthwith Form-VII containing the elected members of the Sangam, submitted by the 3rd respondent. Consequently, connected miscellaneous petitions are closed.

[A.D.J.C., J.] [R.P., J.]
21 .08.2025

Index : Yes / No
Neutral Citation : Yes / No
bala

To

1. The Inspector General of Registration,
No.100, Santhome High Road,
Chennai-600 028.

2. The District Registrar (Admin),
Madurai North,
Rajakambeeram,
Madurai-625 107.

3. Tamil Nadu Naidu Mahajana Sangam,
Registration No.56/1972,
No.15B, Ayyanar Kovil Street,



W.A.(MD) No.843 of 2024

WEB COPY

Anupanadi,
Madurai-625 009.

4. Mr.B.Subburaj,
Chief Election Officer,
Tamil Nadu Naidu Mahajana Sangam,
No.2/63, Kalyanavinayagar Kovil Street,
Pandiyan Nagar,
Madurai-625 006.



WEB COPY



W.A.(MD) No.843 of 2024

A.D.JAGADISH CHANDIRA, J.
AND
R.POORNIMA, J.

bala

PRE-DELIVERY JUDGMENT MADE IN
W.A(MD)No.843 of 2024
DATED : 21. 08.2025