



W.P.(MD).No.12531 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 29.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.12531 of 2025
and W.M.P.(MD)No.9120 of 2025

Annamalai

... Petitioner

-vs-

1. The District Registrar (Societies),
Virudhunagar,
Virudhunagar District.
2. The Sivakasi Hindu Poorveega
Agampadiyar Trust, (Reg.No.163/1992),
Rep. by its Secretary,
Muthumanikandan,
No.88, Devar Thirumana Mandapam,
Sundaram Street,
Sivakasi, Virudhunagar District.
3. S.P.Singaraj,
President,
No.88, Devar Thirumana Mandapam,
Sundaram Street,
Sivakasi, Virudhunagar District.
4. T.Arunparasad,
Treasurer,
No.88, Devar Thirumana Mandapam,
Sundaram Street,
Sivakasi, Virudhunagar District.

... Respondents



W.P.(MD).No.12531 of 2025

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent herein to supervise and conduct election to the 2nd respondent Society only with the members of the society by considering the petitioner's representation dated 03.04.2025.

For Petitioner : Mr.C.Suresh Kannan

For Respondents : Mr.R.Suresh Kumar,

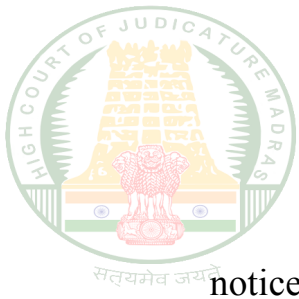
Addl. Govt. Pleader [R1]

ORDER

This writ petition has been filed seeking a direction to the 1st respondent to supervise and conduct election to the 2nd respondent Society only with the members of the society by considering the petitioner's representation dated 03.04.2025.

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 private respondents is dispensed with.

3. The petitioner is the member of the second respondent society and election is proposed to be conducted and it should be conducted, only after conduct of meeting with the members of the society, and after issuance of



W.P.(MD).No.12531 of 2025

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notice to them. However, the same has not been done so. Hence, the petitioner made a representation to the first respondent dated 03.04.2025 to supervise and conduct election to the 2nd respondent Society only with the members of the society. 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 03.04.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner and the private respondents, as well as all other persons, who may be necessary in the subject matter, within a



W.P.(MD).No.12531 of 2025

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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 respondents to consider the same on its own merits.

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

29.04.2025

NCC : Yes/No
Index : Yes / No
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W.P.(MD).No.12531 of 2025

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TO:-

The District Registrar (Societies),
Virudhunagar,
Virudhunagar District.



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W.P.(MD).No.12531 of 2025

VIVEK KUMAR SINGH, J.

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Order made in
W.P.(MD)No.12531 of 2025

Dated:
29.04.2025