

C.R..P.(MD).No.1532 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 02.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

C.R.P.(MD)No.1532 of 2025

and

C.M.P.(MD)No.7765 of 2025

R.P.Murugesan

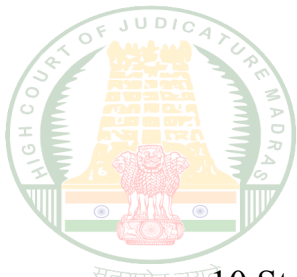
... Petitioner

Vs.

1.Kulathur Hindu Nadarkal Uravinmurai Sangam,
Registration No.54/1956,
Rep.Through its President,
Thiru M.Seenirajan,
S/o.Madasamy,
146, Munichalai Road,
Madurai-625 001.

2.The District Registrar,
Registration Department,
Thoothukudi,
Thoothukudi District.

3.Paulraj
4.K.Jeyakrishnan
5.M.Anandaraj
6.P.Kenugurajan
7.V.Kanagaraj
8.P.Kenguraj
9.P.Thonthiraj



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10.State of Tamil Nadu,
Represented through its
District Collector,
Korampallam,
Tuticorin,
Tuticorin District.

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the order passed in I.A.No.4 of 2023 in O.S.No.108 of 2022 dated 10.06.2024 on the file of the I Additional District Court, Tuticorin.

For Petitioner : Mr.T.A.Ebenezer

For R2 & R10 : Mr.B.Saravanan

Additional Government Pleader

ORDER

This Civil Revision Petition is filed challenging the order passed in I.A.No.4 of 2023 in O.S.No.108 of 2022 dated 10.06.2024 on the file of the I Additional District Court, Tuticorin.

2.Mr.B.Saravanan, learned Government Advocate, takes notice for the respondents. Since no adverse order is going to be passed as against the private respondents, notice to the private respondents is dispensed with.



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3.The petitioner is the third defendant in the suit filed by Kulathur Hindu Nadargal Uravinmurai Sangam in O.S.No.108 of 2022. The sangam is registered under the Societies Registration Act. The sangam was represented by one Seenirajan, President of that Sangam. During the pendency of the suit, Seenirajan died on 12.12.2022. Thereafter, one Shanmugavel had filed an amendment petition under Order 6 Rule 17 of CPC as if he is the present President of the Society. The said petition was allowed. Challenging the same, the present Civil Revision Petition is filed.

4.The learned counsel for the petitioner would submit that admittedly, the then president died on 12.12.2022. In the societies registered under the Societies Registration Act, if an elected office-bearer dies, the society needs to hold an election to fill the vacant position by following the Society's bylaws, which typically includes a general body meeting and voting among the remaining members. However, without any such procedure, the said Shanmugavel is claiming himself a an elected President and filed an application to amend his name in the place of the then President. The trial Court without considering all these aspects and also without hearing petitioner and without given an opportunity to the petitioner to file his



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counter, has allowed the application, which is according to the petitioner not proper.

5.The learned counsel for the petitioner further submits that though he has filed this petition challenging the amendment application, it would be suffice if liberty is granted to the petitioner to challenge the election process.

6.Considering the limited request of the petitioner, this Civil Revision Petition is dismissed with liberty to the petitioner to challenge the election process in the manner known to law. No costs. Consequently, connected miscellaneous petition is closed.

02.06.2025

Index : Yes / No
Internet : Yes / No
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To

- 1.The I Additional District Court, Tuticorin
2. The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.

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M.DHANDAPANI,J.

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