



**W.P.(MD) No.12223 of 2025**

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 29.04.2025**

**CORAM:**

**THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN**

**W.P.(MD) No.12223 of 2025**

The Pennington Committee,  
Rep. by its Secretary,  
Mr.A.M.M.Radha Shankar.

...

Petitioner

Vs

1 The District Collector,  
Virudhunagar District,  
Virudhunagar.

2 The Sub-Collector,  
Sivakasi Division,  
Sivakasi,  
Virudhunagar District.

...

Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of certiorarified mandamus, to call for the records of the 1<sup>st</sup> respondent made in Na.Ka.C4-13192-2019, dated 22.04.2025, and quash the same as illegal and without jurisdiction and



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consequently forbear the respondents from interfering with the management of the petitioner Committee.

For Petitioner : Mr.V.Radhakrishnan,  
Senior Counsel,  
for Mr.V.Shathurthi Raja.

For Respondents : Mr.M.Ajmal Khan,  
Addl. Advocate General,  
for Mr.S.Shaji Bino,  
Spl. Govt. Pleader.

### **ORDER**

The petitioner seeks for the following relief :

"Writ of certiorarified mandamus, to call for the records of the 1<sup>st</sup> respondent made in Na.Ka.C4-13192-2019, dated 22.04.2025, and quash the same as illegal and without jurisdiction and consequently forbear the respondents from interfering with the management of the petitioner Committee."



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2. The petitioner is a Society, registered under the Tamil Nadu Societies Registration Act, 1975. The Society has a long history. It was formed in the name of the then District Collector of Tirunelveli - Mr. Pennington. The purpose for formation of the Society was for running a library. As the library required funds, in the open space belonging to the Society, shops have been constructed. After construction of the library, shops were built and let out for rent. The District Collector is the *ex officio* President of the Society. On bifurcation of Tirunelveli District and creation of Virudhunagar District, the District Collector of Virudhunagar is presently the *ex officio* President of the Society.

3. The petitioner owns about 242 shops on Netaji Road, a very important landmark in the town of Srivilliputhur. On account of the fact that the town of Srivilliputhur was expanding and the traffic was also increasing, in 2001, the petitioner opened a Cycle Stand in order to augment the income of the Society and also to de-congest the area.

4. This is not the first time the Society has approached this Court. Earlier, the District Registrar, Ramanathapuram, had initiated proceedings,



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which were challenged before this Court by way of two writ petitions in W.P.Nos.2961 and 2962 of 1983. The said writ petitions were allowed by Hon'ble Mr.Justice J.Kanakaraj, (as His Lordship then was). He held that the action initiated by the District Registrar against the Society reeks of arbitrariness. Subsequently, the petitioner knocked the doors of this Court again in the year 1997. That was in W.P.No.12409 of 1997 Batch, in which the respondents were District Collector, Tahsildar, and Commissioner of Srivilliputhur Panchayat Union. The grievance expressed therein was that the District Collector had issued a Memo on 05.08.1997, calling upon the Secretary of the petitioner Society to collect rent from shopkeepers occupying the shops owned by the petitioner, and to keep the amount so collected in Trust till a decision was taken on the functioning of the Society. This Court, by an order, dated 13.12.1999, held that the District Collector cannot interfere in the internal affairs of the Society, and held that "The interference of the Collector is nothing but interference in the internal administration of the Committee." Consequent to this discussion, the writ petition came to be allowed. Subsequently, another writ petition came to be filed in the year 2014. The cause of action for that writ petition was that the Commissioner of



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Srivilliputhur Municipality had issued an order, based on an audit report, calling upon the petitioner to pay a certain sum. That writ petition came to be allowed by this Court, with a further direction to the respondents to consider the plea for waiver of licence fee for the library.

5. I have narrated the history of the litigations initiated against the Society in order to point out that even in the year 1992, this Court was persuaded to take note of the fact that the Revenue Department had a grievance as against the Society.

6. The cause of action for this writ petition is that the first respondent had issued a notice on 22.04.2025. By the said notice, the first respondent called upon the petitioner to submit a “white paper” in the following terms :



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எனவே, திருவில்லிபுத்தூர் பெண்ணிங்டன் கமிட்டி நிர்வாகத்திற்கும், உறுப்பினர்களுக்கும் மற்றும் அதன் தலைவராக இருக்கக்கூடிய மாவட்ட ஆட்சியருக்கும் பொதுவெளியிலும், பொதுமக்களிடமும், ஏற்பட்டுள்ள அவப்பெயர் (ம) களங்கம் ஆகியவைகளை களைய, திருவில்லிபுத்தூர் பெண்ணிங்டன் கமிட்டிக்கு பாத்தியப்பட்ட சொத்துகள் என்னென்ன உள்ளன, அதன் வழியாக வரக்கூடிய வருமானங்கள், பிற வகையில் வரப்பெற்ற வருமானங்கள், வசூலிக்கப்பட வேண்டிய நிலுவை வருமானங்கள், எதனால் வசூல் செய்யப்படாமல் உள்ளது. வசூல் செய்ய மேற்கொள்ளப்பட்ட நடவடிக்கைகள், கமிட்டியின் நோக்கங்களுக்கு செலவிடப்பட்டவைகள், பிறவகையில் செலவிடப்பட்டவைகள் அந்தந்த காலங்களில் நிர்வாகம் செய்த நிர்வாகி என்பது உள்ளிட்டவைகளை கொண்ட ஆண்டுவாரியான 20 ஆண்டுகளுக்கு வரவு செலவு அறிக்கையினை பொதுமக்கள் அனைவரும் அறிந்து கொள்ளத்தக்க வகையில் வெள்ளை அறிக்கையாக திருநெல்வேலி மாவட்டம், திருநெல்வேலி, வெளியிட்டு பெண்ணிங்டன் கமிட்டியின் வெளிப்படைத்தன்மையை உறுதி செய்திட வேண்டும் என கேட்டுக் கொள்ளப்படுகிறது.

Challenging the same, the present Writ Petition.

7. I have heard Mr.V.Radhakrishnan, learned Senior Counsel, representing Mr.V.Shathurthi Raja, for the petitioner; and Mr.M.Ajmal Khan, learned Additional Advocate General, representing Mr.S.Shaji Bino, Special Government Pleader, for the respondents.



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8. The learned Additional Advocate General fairly stated that there is no jurisdiction vested in the first respondent to issue a letter, calling upon the petitioner Society to submit a white paper and that recording the same, this writ petition may be disposed.

9. Under the Tamil Nadu Societies Registration Act, 1975, certain authorities are identified by the legislature for the purpose of administration and governance of a Society, registered under the Act. The District Collector is not one such authority. The District Collector is the *ex officio* President. In that capacity, it is always open to him to visit the premises of the writ petitioner Society and inspect such records, as he desires, as permitted by the rules framed under the Tamil Nadu Societies Registration Act, 1975. However, it is not open to him to call upon a Society, of which he is only a member in an *ex officio* capacity, to submit a “white paper”.

10. As a fair statement has been made by the learned Additional Advocate General, the impugned order is quashed. Liberty is granted to the first respondent to inspect the records of the petitioner Society, if he so desires, strictly in accordance with the provisions of the Tamil Nadu Societies



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Registration Act and the Rules made thereunder.

11. Writ Petition is allowed accordingly. No costs. Consequently, the connected W.M.P.(MD) No.8983 of 2025 is closed.

**29.04.2025**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes / No

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dixit

To:

- 1 The District Collector,  
Virudhunagar District,  
Virudhunagar.
- 2 The Sub-Collector,  
Sivakasi Division,  
Sivakasi,  
Virudhunagar District.



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**V.LAKSHMINARAYANAN, J.**

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