



W.P(MD)No.24189 of 2018

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.06.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

**W.P(MD)No.24189 of 2018
and
W.M.P(MD)Nos.21875, 21876 & 21877 of 2018**

V.Austin

... Petitioner

vs.

- 1.Registrar of Companies,
Ministry of Corporate Affairs,
Shashtri Bhavan, IInd Floor,
No.26, Haddows Road,
Chennai – 600 006.
- 2.The Director,
Directorate of Enforcement,
Department of Revenue,
Ministry of Finance,
6th Floor, Lok Nayak Bhawan,
Khan Market, New Delhi – 110 003.
- 3.Income Tax Department,
CR Building 2, V P,
V P Rathinasamy Nadar Road,
Bibikulam, Madurai,
Tamil Nadu – 625 002.



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- 4.The District Collector,
Madurai – 625 001.
- 5.Director General of Police,
Tamil Nadu,
Mylapore.
- 6.The Commissioner of Police,
Madurai District.
- 7.The Superintendent of Police,
Madurai District.
- 8.CSI Trust Association,
By its General Secretary,
CSI Centre,
No.5, Whites Road,
Royapettah,
Chennai – 600 014.
- 9.CSI Synod,
Represented by its General Secretary,
Royapettah,
Chennai – 600 014.
- 10.Diocese Madurai – Ramnad AVH,
Represented by its Bishop Building,
1st Floor, No.162, East Veli Street,
Madurai – 625 001.
- 11.Madurai – Ramnad Diocese Management Association,
A.V.H Building,
No.162, East Veli Street, 1st Floor,
Madurai – 625 001.



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13.The Branch Manager,
Central Bank of India,
By-Pass Branch,
Madurai - 625 003.

14.The Branch Manager,
Syndicate bank,
Thirupparankundram Branch,
5844, GST, TPK Road,
Madurai – 625 005.

15.The Branch Manager,
Pandyan Grama Bank,
Pasumalai Branch,
CSI Complex,
Madurai – 625 004.

... Respondents

(R – 12 is impleaded vide order dated 12.06.2025
made in W.M.P(MD)No.22131 of 2018)

(RR 13 to 15 are impleaded vide order dated 12.06.2025
made in W.M.P(MD)No.839 of 2019)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondents 1 to 7 to conduct a detailed enquiry into the management affairs of the respondents 8 to 11 Trust.



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For Petitioner	: Mr.Xavier Rajini for Mr.J.Sathiaraj
For RR 1 & 3	: Mr.N.Dilip Kumar
For R – 4	: Mr.P.Thilak Kumar Government Pleader
For RR 5 to 7	: Mr.T.Senthil Kumar Additional Public Prosecutor
For RR 8 & 9	: Mr.T.Antony Arul Raj
For RR 10 & 11	: Ms.H.Jasima Yasmin for M/s.Ajmal Associates
For R – 12	: Mr.R.G.Sankar Ganesh
For RR 13 & 14	: Mr.C.Karthik
For R – 15	: Mr.M.Thirunavukkarasu

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM, J.)

The writ of Mandamus has been instituted to direct the respondents 1 to 7 to conduct a detailed enquiry into the management affairs of the respondents 8 to 11/Trust.



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2. Admittedly, the respondents 8 to 11 are CSI Trust Association, CSI Synod, Diocese Madurai – Ramnad AVH and Madurai – Ramnad Diocese Management Association. The said respondents are not “State” within the meaning of Article 12 of the Constitution of India. Therefore, no writ against the management affairs of the Association is maintainable. The petitioner has to redress his grievances by approaching the competent authorities in respect of such grievances and by approaching the competent Court of law to deal with the misappropriation of funds, irregularities, illegalities, mismanagement etc.

3. The High Court, in the exercise of the powers of judicial review under Article 226 of the Constitution of India, entertaining such a Writ Petition against a private body, would undoubtedly result in a miscarriage of justice and would cause prejudice to the interests of either party. There is no scope for adjudication of disputed facts of this nature relating to the management affairs of the Association. It requires an adjudication with reference to the documents and evidence available on record including oral evidence to be done by the respective competent authorities and the civil forum, if any aggrieved person approached. Hence, the High Court is expected to exercise restraint in entertaining such Writ



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Petitions filed against private Associations which is not a “State” within the meaning of Article 12 of the Constitution of India. Asfar as the respondents 8 to 11 are concerned, these are religious Associations and not performing any public duty and therefore, even it may not fall under the exceptions as carved out by the Supreme Court in certain extra-ordinary cases.

4. Accordingly, these Writ Petitions stand dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

[S.M.S.,J.] & [A.D.M.C.,J.]
12.06.2025
(1/2)

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



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and
DR.A.D.MARIA CLETE, J.

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ORDER MADE IN
W.P(MD)No.24189 of 2018

DATED : 12.06.2025
(1/2)