



W.P.Crl.(MD) No.1526 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved on	24.10.2025
Pronounced on	29.10.2025

CORAM

THE HON'BLE MR.JUSTICE SUNDER MOHAN

W.P.Crl.(MD) No.1526 of 2025

and

W.M.P.Crl.(MD) No.368 & 369 of 2025

1.Nadar Mahajana Sangam
Kamaraj Polytechnic Paribalana Sabai,
Represented by its
Secretary, B.Asokan,
No.2, South Chithirai Street,
Madurai – 625 001.

2.Nadar Mahajana Sangam
Kamaraj Polytechnic College,
Represented by its
Correspondent, B.Asokan,
Pazhavilai, Nagercoil,
Kanyakumari District – 629 501.

... Petitioners

Vs.

1.The Superintendent of Police,
Kanyakumari District,
Nagercoil.

2.The Inspector of Police,
Rajackmangalam Police Station,
Kanyakumari District.



W.P.Crl.(MD) No.1526 of 2025

3.A.Surendrakumar

4.M.P.Thangaraj

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing first and second respondents to provide adequate police protection to the life and limb of the office bearers of the Nadar Mahajana Sangam Kamaraj Polytechnic College Paribalana Sabai and all the staffs and students of Nadar Mahajana Sangam Kamaraj Polytechnic College for the peaceful administration of the college based on the representation of the petitioners dated 18.09.2025.

For Petitioners : Mr.N.Dilipkumar

For R1 & R2 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

For R3 & R4 : Mr.S.Xavier Rajini

ORDER

This Writ Petition has been filed seeking a direction to the first and second respondents to provide adequate police protection to the office bearers of the first petitioner Sangam and to the staff and students of the second petitioner College.



W.P.Crl.(MD) No.1526 of 2025

WEB C

2. The briefs facts leading to the filing of this Writ Petition are as follows:

(a) The first petitioner is a registered society. The second petitioner is a college administered by the first petitioner society. The parent society is 'Nadar Mahajana Sangam'. There is another society called 'Nadar Mahajana Sangam S.Vellaichamy Nadar Kalloori Peravai'. An individual, upon becoming a member of the parent society, automatically becomes a member of the other societies.

(b) The elections for all three societies were held collectively on 06.11.2022. Pursuant to the order passed by this Court, the election was conducted by a retired Judge of this Court, the Hon'ble Mr.Justice N.Kirubhakaran. The election results were published on 09.11.2022.

(c) The third respondent became the Secretary of the first petitioner society and, consequently, the Correspondent of the second petitioner College.

(d) The Executive Committee Meeting was held on 06.04.2025, and a resolution was passed to take action for the removal of the third and



W.P.Crl.(MD) No.1526 of 2025

fourth respondents from the society due to the mismanagement of the society and the college. One K.Vanarajan and K.Vivekanandan were appointed as President (in-charge) and Secretary (in-charge), respectively, until the new office bearers were elected. In the General Body Meeting held on 25.05.2025, the third and fourth respondents were removed from office pursuant to the resolution.

(e) Meanwhile, the third respondent made representations both dated 27.03.2025 to the District Registrar of Societies to cancel Subject No.8 in the Meeting on 05.04.2025 and to cancel the convening of the Meeting on 06.04.2025. The District Registrar of Societies rejected the prayer of the third respondent, *vide* order dated 02.04.2025. Further, the challenge to the convening of the meetings on 05.04.2025 and 06.04.2025 was negated by this Court in W.P.(MD) No. 9529 of 2025.

(f) The election for the new office bearers for the period between 2025 and 2028 was to be conducted on 17.08.2025 by a Retired Judge of this Court, the Hon'ble Dr.Justice P.Jyothimani.

(g) The third respondent filed W.P.(MD) No.10871 of 2025,



W.P.Crl.(MD) No.1526 of 2025

praying for the setting aside of the order of the District Registrar of Societies dated 02.04.2025, and the same is pending.

(h) Meanwhile, one A.K.Rajaduraivelpandian filed W.P.(MD) No. 19657 of 2025 before this Court, challenging the election notification. The third respondent herein supported the Writ Petition. Ultimately, the said Writ Petition was dismissed on 22.07.2025. The Writ Appeal filed by the said A.K.Rajaduraivelpandian in W.A.(MD) No.2330 of 2025 was also closed by the Hon'ble Division Bench of this Court on 08.08.2025, directing the Chairman of the Election Committee, namely the Hon'ble Dr.Justice P.Jyothimani (Retired), to consider the grievance of the said A.K. Rajaduraivelpandian before the conduct of the election. Several other Writ Petitions filed by other persons challenging the election notification were also dismissed.

(i) Finally, the election was conducted on 17.08.2025, and the election result was declared on 18.08.2025. Form VII notice, intimating the change in the constitution of office bearers, was filed before the Registrar of Societies on 04.09.2025.



W.P.Crl.(MD) No.1526 of 2025

(j) Since the third and fourth respondents were not elected and several orders were passed against them by this Court, they started disturbing the petitioners in the administration of the society and the college. On 13.09.2025, at around 08:45 p.m., the third and fourth respondents, along with other persons wearing advocate uniforms, entered the college, broke open the office of the Principal, and stole certain records. A complaint was registered in C.S.R.No.672 of 2025.

3. Mr.N.Dilip Kumar, the learned counsel for the petitioners, would submit that though the tenure of the previous office bearers expired in November 2025, the elections were sought to be conducted in May, which is a usual practice of the society; that even before the election notification was issued, the third and fourth respondents were removed by a resolution passed in the Executive Committee Meeting; that the challenge to the order of the District Registrar of Societies passed on the petitioners' representation for forbearing the subject of removal of the petitioners from the society and convening of the subject meeting, is pending before this Court in W.P.(MD) No.10871 of 2025; that the third and fourth respondents are illegally claiming that they were elected pursuant to the election held in May 2025 and started disturbing the petitioners; that, in



W.P.Crl.(MD) No.1526 of 2025

fact, the third and fourth respondents, along with others, entered the college premises and took away certain records; that the claim of the third and fourth respondents that they were elected independently in May 2025 is an afterthought; that in the Writ Petition filed by A.K.Rajaduraivelpandian in W.P.(MD) No.19657 of 2025, the third respondent was represented by a counsel and he had not referred to the election said to have been held in May 2025, and in fact, he represented that his tenure ends only on 06.11.2025; that the elections to the petitioners' society and college were conducted by a retired Judge of this Court; that in the Writ Appeal filed by A.K.Rajaduraivelpandian against the petitioners in W.A.(MD) No.2330 of 2025, this Court observed that all disputes relating to the election could be decided by the said retired Judge, the Hon'ble Dr.Justice P.Jyothimani; that on 18.08.2025, the office bearers were elected and Form VII was filed before the Registrar of Societies on 04.09.2025; and that, despite this, the third and fourth respondents have been indulging in illegal activities and disturbing the petitioners and others, besides committing cognizable offences, and therefore, protection is required.



W.P.Crl.(MD) No.1526 of 2025

WEB COPY

4. The learned counsel for the third and fourth respondents, per contra, would submit that the removal of the petitioners is without sufficient quorum; that the election said to have been conducted for the petitioners' society on 17.08.2025 is not valid; that, though it has been observed by the Hon'ble Division Bench of this Court in the Writ Appeal that the Hon'ble Dr.Justice P.Jyothimani (Retired) of this Court is conducting the election, this Court had not approved the validity of the resolution passed by the General Body on 25.05.2025 appointing the Election Commission; that the third and fourth respondents were elected pursuant to the election held in May 2025; that they filed Form VII before the Registrar of Societies on 29.09.2025; that, since two Forms VII are before the Registrar of Societies, it is for him to decide who should be the office bearers; that the election conducted on 17.08.2025 cannot be a basis for the so-called office bearers to claim the right to run the society; and that, therefore, the police cannot interfere in such a dispute and this Writ Petition for police protection should be dismissed. The counter affidavit has also been filed by the third and fourth respondents reiterating the submissions of the learned counsel for the third and fourth respondents.



W.P.Crl.(MD) No.1526 of 2025

5. It is not in dispute that the third and fourth respondents were removed pursuant to the resolution passed by the Executive Committee in the meeting held on 25.05.2025. It is the case of the third and fourth respondents that such removal is illegal. The challenge to the meeting, regarding the removal of the petitioners from the society and the convening of the subsequent meeting, is now pending before this Court in W.P.(MD) No. 10871 of 2025. W.P.(MD) No. 19657 of 2025, filed by the said A.K. Rajaduraivelpandian, challenging the election notification dated 07.07.2025, was disposed of by this Court. The relevant observations of this Court read as under:

“14. The election process has been commenced and it is clear that the attempt of the petitioner is to derail the election process, which commenced with the issuance of the Electoral Notice by the respective Secretary of the three societies on 28.04.2025 and 26.05.2025 and also on 07.07.2025 by the Election Committee proceeded over by the Hon'ble Mr.Justice Jothimani, former Judge of this High Court, Mr.A.Arumuga Nainar, retired Inspector General of Registration, Mr.R.Arumugam, Advocate, Mr.K.Rajendren, retired Member of Neyveli Lignite Corporation and Mr.Ashokan, retired Member of S.V.N.N.M.S. College.

15. The election process cannot be derailed and therefore, it is open for the petitioner to challenge the eventual election to be held on 17.08.2025 in the manner known to law.



W.P.Crl.(MD) No.1526 of 2025

16. The petitioner in W.P.(MD) No.10871 of 2025, who has challenged all the other proceedings and who is removed as the Secretary of the seventh respondent/Society, is entitled to independently pursue the remedy in W.P.(MD) No.10871 of 2025 as it has to be decided independently.”

6. In the said Writ Petition, the third respondent was represented by a learned counsel, wherein the case of the third respondent was that his tenure ends on 06.11.2025. However, the third respondent had not stated anything about the election said to have been conducted in May 2025. In the Writ Appeal challenging the above mentioned order of the learned Single Judge of this Court, the Hon’ble Division Bench of this Court had observed as follows:

“3. The elections for all the three societies are proposed to be held on 15.08.2025. Hon'ble Dr.Justice P.Jyothimani, former Judge of this Court has been chosen by the General Body as the election officer to head the five member election committee. The appellants have some grievances regarding the election process. It has already been placed before the election committee. We call upon the election committee headed by Hon'ble Dr.Justice P. Jyothimani to look into the same before the election is conducted. These writ appeals are disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.”



W.P.Crl.(MD) No.1526 of 2025

7. It is also not in dispute that thereafter, the election was conducted by the Hon'ble Dr.Justice P.Jyothimani (Retired), and all the objections raised by the opposing persons were rejected by the Hon'ble Dr. Justice P. Jyothimani (Retired). Form VII was thereafter filed on 04.09.2025 before the Registrar of Societies.

8. Even in a suit in O.S.No.127 of 2025, filed by the third respondent before the learned Principal District Munsif, Nagercoil, he had not referred to the election said to have been conducted in May 2025. The third respondent, in the counter affidavit, has stated that, though the fact of the election was not disclosed in the plaint, he has instructed his advocate to amend the prayer and proceed further.

9. Form VII is stated to have been filed by the third respondent before the Registrar of Societies on 29.09.2025. When this Court specifically queried as to why there was a delay in filing Form VII, the learned counsel for the third respondent submitted that the President and other office bearers were elected on 11.05.2025, but the General Body Meeting was convened only on 14.09.2025; and therefore, there was a delay in filing Form VII. The stand taken by the third respondent is



W.P.Crl.(MD) No.1526 of 2025

contrary to the versions in the suit and in the earlier Writ Petitions before this Court. From the submissions, this Court is of the *prima facie* view that the stand of the third and fourth respondents that a separate election was conducted in May 2025 appears to be an afterthought. This Court hastens to add that the above observation is only for the purpose of this Writ Petition and it would have no bearing on any other proceedings between the parties.

10. Apart from the above, the election conducted by the Hon'ble Dr.Justice P.Jyothimani (Retired) on 17.08.2025 has not been set aside by any court of law so far. Therefore, this Court is of the view that the petitioners have made out a *prima facie* case, and the office bearers of the first petitioner society and the second petitioner college are entitled to run the administration without any disturbance unless the election conducted on 17.08.2025 is set aside by a competent court of law. Accordingly, they are entitled to police protection as prayed for. The first and second respondents shall, therefore, favourably consider the request of the petitioners, within a period of two weeks from the date of receipt of a copy of this order and provide adequate police protection to them.



W.P.Crl.(MD) No.1526 of 2025

WEB COPY

11. However, if the third and fourth respondents are ultimately able to obtain any order setting aside the election conducted by the Hon'ble Dr.Justice P.Jyothimani (Retired) on 17.08.2025 or that their election in May 2025 is valid, it is needless to say that they can always seek modification in the police protection or such other relief.

12. With the above observations, this Writ Petition is allowed. No costs. Consequently, the connected Miscellaneous Petitions are closed.

29.10.2025

JEN

Index: Yes/ No

Neutral Citation: Yes / No

Speaking Order / Non-Speaking Order

Copy To:

- 1.The Superintendent of Police,
Kanyakumari District,
Nagercoil.
- 2.The Inspector of Police,
Rajackmangalam Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



W.P.Crl.(MD) No.1526 of 2025

SUNDER MOHAN, J.

JEN

Pre-Delivery order made
in
W.P.Crl.(MD) No.1526 of 2025

29.10.2025