



W.A.(MD)No.228 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.06.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

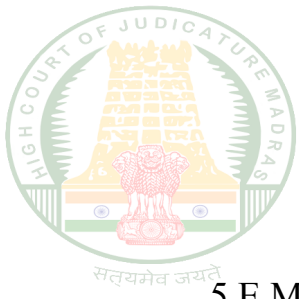
**W.A.(MD)No.228 of 2024
and
C.M.P.(MD)Nos.1982 and 1983 of 2024**

V.Chinna Karuppan

... Appellant

Vs.

- 1.The Additional Chief Secretary to Government,
Commercial Taxes and Registration (M1) Department,
Government of Tamil Nadu,
Secretariat, Chennai - 600 009.
- 2.The Inspector General of Registration,
No.100, Santhome High Road,
Chennai - 600 028.
- 3.The District Registrar,
Madurai.
- 4.The Registrar of Societies,
O/o. The Registrar of Societies,
Madurai North, Madurai.



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5.E.M.Gopalakrishna Kone Magalir Kallori
(Women-s College) Association,
Regd S.No.101 of 1973,
Thiruppalai, Madurai - 625 014.

6.E.M.G.S.Indirani

7.E.M.G.S.Gopalakrishnan

8.E.M.G.S.Radhakrishnan

9.E.M.G.S.Muthumeenakshi ... Respondents

Prayer : Writ Appeal filed under Clause XV of Letters Patent, to allow the writ appeal by setting aside the order passed in W.P.(MD)No.27408 of 2022 dated 01.12.2023 on the file of this Court.

For Appellant : Mrs.J.Padhmaavathi Devi

For Respondents : Mr.G.Suriya Ananth,
Addl. Government Pleader for R1 to R4

Mr.Selva Adhitya for R5

JUDGMENT
(By G.R.SWAMINATHAN, J.)

This writ appeal is directed against the order dated 01.12.2023 made in WP(MD)No.27408 of 2022.



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2.The writ petitioner is the appellant herein. He is one of the members of the society named “E.M.Gopalakrishna Kone Yadhavar Mahalir Kallori Association”. The said society started a college for women several decades ago. The grievance of the appellant is that the sixth respondent herein is continuing to hold the post of President and that elections are not being held. He represented to the Government that a Special Officer must be appointed for the society. Since his representation was not considered, he filed WP(MD)No.27408 of 2022 for appointing a Special Officer. The learned Single Judge vide order dated 01.12.2023 dismissed the writ petition.

3.The question that calls for consideration is whether the order of the learned Single Judge calls for interference. The learned Single Judge noted that one V.Kasi had earlier filed WP(MD)No.19058 of 2021 seeking an identical relief. The writ petition was dismissed vide order dated 29.10.2021. It was held therein that an order of supersession can be made only if a compelling case is made out. It was concluded that no case has been made out to interfere with the management of E.M.Gopalakrishna Kone Yadhavar Mahalir Kallori Association. It was



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specifically observed that private disputes among the members of the society or between such members and the society concerned should ordinarily be carried to the jurisdictional civil courts. The learned Judge went to the extent of observing that there is no public law element or public interest in the grievance projected by the writ petitioner. WP(MD)No.19058 of 2021 was dismissed on 29.10.2021. The present writ petition was filed in 2022. That is why, the learned Judge held that the writ petitioner herein is reviving a dispute after V.Kasi failed in his attempt. It was further noted that issues are raised on installment basis just to perpetuate one litigation after the other against the society. As many as six writ petitions, three writ appeals and two suits have been filed. The writ petitioner was censured by holding that he is projecting his personal agenda in writ proceedings and that he is harassing and arm twisting the office-bearers of the association. The learned Judge went to the extent of levying cost of Rs.50,000/- on the writ petitioner.

4. Every reason and observation set out in the order of the learned Single Judge are sound and justified. However, we propose to take an indulgent view. Hence, we set aside the cost of Rs.50,000/- imposed on



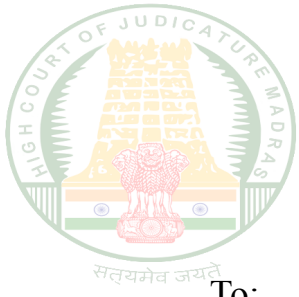
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the writ petitioner. Since the grievance projected in the writ petition is the subject matter of O.S.No.189 of 2005 on the file of the II Additional Sub Court, Madurai, we direct the learned II Additional Sub Judge, Madurai to dispose of the suit on merits and in accordance with law within a period of six months from the date of receipt of a copy of this judgment.

5.This writ appeal is disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

(G.R.S. J.) & (K.R.S. J.)
27.06.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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Copy to:

The II Additional Sub Court,
Madurai.



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