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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **02.12.2025**

CORAM:

THE HONOURABLE **DR.JUSTICE G. JAYACHANDRAN**
AND
THE HONOURABLE **MR.JUSTICE K.K. RAMAKRISHNAN**

C.M.P.(MD)No.18008 of 2025
in
W.A.(MD)No.SR 88580 of 2025

Pethu Mariyappan

...Petitioners

Vs.

1.R.P.Murugesan

2.The District Registrar Administration,
Thoothukudi.

Shanmugavel (died)

... Respondents

PRAYER in C.M.P.(MD)No.18008 of 2025:- Civil Miscellaneous
Petition filed under Section 151 of the Civil Procedure Code, to grant
leave to file the instant writ appeal against the order passed in W.P.
(MD)No.15259 of 2025 dated 07.07.2025.

PRAYER in W.A.(MD)No. SR 88580 of 2025:- Writ Appeal filed under
Clause 15 of the Letters Patent Act, to set aside the order passed in W.P.
(MD)No.15259 of 2025 dated 07.07.2025.

For Petitioner : Mr.P.P.Alwin Balan

For R1 : Mr.T.A.Ebenezer

For R2 : Mr.S.R.A.Ramachandran

Additional Government Pleader



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ORDER

(Order of the Court was made by **DR.G.JAYACHANDRAN, J.**)

This Civil Miscellaneous Petition is filed seeking leave to prefer an appeal against the order passed by the learned Single Judge in W.P.(MD)No.15259 of 2025 dated 07.07.2025.

2.Due to rival claim over the management of the Kulathur Hindu Nadarkal Uravinmurai Society in Tuticorin District, the Registrar of Societies refused to receive Form-VII presented by the President of the Society/petitioner herein. Hence, certiorarified mandamus was sought by the President of the Society to quash the refusal order and to receive Form-VII and other documents including annual report for the period from 2018-2019 to 2023-2024.

3.According to the writ petitioner, he is duly elected Office Bearer for the said society for the period of 2022-2027. The petitioner herein, who is the rival claimant regarding the administration of the Society before us states that the above order of the learned Single Judge



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passed behind him has caused prejudice and therefore, he has to prefer an appeal against that order.

4.This Court after hearing the learned counsel for the petitioner and the order passed the learned Single Judge, finds that the order passed by this Court is subject to the outcome of the civil suit in O.S.No.108 of 2022 pending on the file of the Additional District Court, Thoothukudi. This writ petitioner is a party in that suit.

5.Therefore, in our opinion, the order passed by the learned Single Judge no way will prejudice the petitioner, since the learned Single Judge has made a specific observation that the mandamus is issued to receive the annual report for the period of 2018-2022 will not confer any right upon the parties and they have to work out their remedy before the civil Court, where the suit is pending.

6.Hence, we dismiss this Civil Miscellaneous Petition reiterating the fact that the mandamus is issued by this Court only for the purpose of accepting Form-VII and annual report, so that the society will be shown in the live Register of the Societies or else it will suffer



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removal from the list of Registered Society. The parties has to work out the remedy and establish their right in the pending suit. This order will no way used to prejudice the interest of the other. No costs. Consequently, the writ appeal is dismissed at the SR stage itself.

[G.J., J.] & [K.K.R.K., J.]
02.12.2025

Index :Yes/No
Internet :Yes
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To

The District Registrar Administration,
Thoothukudi.



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DR.G. JAYACHANDRAN, J.
AND
K.K. RAMAKRISHNAN, J.

ta

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in
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