



W.P.(MD) No.35440 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.12.2025

CORAM

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.(MD)No.35440 of 2025

K.Sundarapandy

... Petitioner

Vs

1. The Commissioner,
Madurai Corporation,
Arignar Anna Maligai,
Madurai – 625 001.

2. The District Registrar,
Office of the Registrar (Sangam),
Madurai South, Madurai – 625 107.

3.R.Kumar

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 and 2 to take appropriate and time bound action on the petitioner's multiple written complaints and representations dated 01.08.2025, regarding the irregularities and statutory violations committed by the 3rd respondent Welfare Association and to initiate appropriate proceedings for inquiry, inspection and possible supersession of the current Managing Committee of the Association under Section 36 of the Tamil Nadu Societies Registration Act, 1975.



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For Petitioner : Mr.M.Ramachandran

For Respondents : Mr.P.Anbunidhi for R1

Mr.K.S.Selvaganesan,
Addl. Govt. Pleader for R2

ORDER

This Writ Petition is filed seeking a direction to the respondents 1 and 2 to take appropriate and time bound action on the petitioner's multiple written complaints and representations dated 01.08.2025, regarding the irregularities and statutory violations committed by the 3rd respondent Welfare Association and to initiate appropriate proceedings for inquiry, inspection and possible supersession of the current Managing Committee of the Association under Section 36 of “the Tamil Nadu Societies Registration Act, 1975” (herein after referred to as “the said Act”).

2. Mr.P.Anbunidhi, learned Standing Counsel takes notice for respondent No.1 and Mr.K.S.Selvaganesan, learned Additional Government Pleader takes notice for respondent No.2. Since no adverse order is going to be passed against the 3rd respondent, notice to him is dispensed with. By consent, this Writ Petition is taken up for final disposal.



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3. According to the petitioner, he was expelled from Committee and Association, without proper notice. Hence, he has made written complaints and representations to the 2nd respondent, in which, two issues have been raised by the petitioner. The first one is with regard to illegal expulsion of the petitioner from the membership of the Association, for which, the 2nd respondent is directed to conduct enquiry in terms of Section 36 of the said Act. The second one is with regard to the unauthorised occupation of the place by the Association, which is meant for public purpose.

4. As far as the first issue, viz., expelling the petitioner from the membership and to conduct enquiry in terms of Section 36 of the said Act is concerned, this Court perused Section 36 of the said Act, on a perusal of the same, it is seen that the Registrar may, of his own motion or on the application of a majority of the members of the committee of a registered society or on the application of not less than one-third of the members of that registered society, or, if so moved by the District Collector, hold, or direct some person authorized by the Registrar by order in writing in this behalf to hold, an inquiry, into the constitution, working and financial condition of that registered society. Therefore, the



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first issue is concerned, the petitioner is not entitled to make any complaint and he has to challenge the same before the civil Court.

5. In respect of the second issue viz., unauthorised occupation of the place by the Association, which meant for public purpose is concerned, this Court is of the view that according to the petitioner, he was a Treasurer from 2016-2019 and therefore, the petitioner was also one of the party to the alleged illegal occupation. Hence, after expulsion from the Association, the petitioner cannot make any complaint, with regard to the said unauthorised occupation. Further, if at all there is any illegal occupation, it is open to the first respondent to take appropriate action and the petitioner cannot have any right to raise such an issue before this Court, as he has also parties to all the misleads alleged in this petition. Therefore, this Writ Petition is devoid of merits and accordingly, the same is dismissed. There shall be no order as to costs.

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Index : Yes/No

NCC : Yes/No



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KRISHNAN RAMASAMY, J.

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