



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-02-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 6046 of 2026

State Lorry Owners Federation - Tamil Nadu
Rep by its president C.Dhanaraj,
No.3/312, Karur-Salem bypass Road,
Auto Nagar campus,
Vallipuram post,
Namakkal -637 003.

..Petitioner(s)

Vs

The District Registrar,
Office of the District Registrar,
Namakkal District -637 001.

..Respondent(s)

PRAYER: Writ Petition has been filed under Article 226 of Constitution of India praying to issue a writ of certiorarified mandamus to call for the entire records pertaining to the impugned order dated 29.12.2025 passed by the respondent in A.Thi.Mu.No.7309/e/2025 and to quash the same with consequential direction directing the respondent to register the amendments to the bye laws of the petitioner Federation in Rules 10 and 14(d) to (f) on re-submission of the same by the petitioner within a time frame.

For Petitioner(s): Mr.Senthil S

For Respondent(s): Mr.P.Harish, Government Advocate

ORDER

The petition has been filed to call for the entire records pertaining to the impugned order dated 29.12.2025 passed by the respondent in A.Thi.Mu.No.7309/e/2025 and to quash the same with consequential direction



directing the respondent to register the amendments to the bye laws of the petitioner Federation in Rules 10 and 14(d) to (f) on re-submission of the same by the petitioner within a time frame.

2.The short facts which have culminated in the filing of this writ petition are set out hereinbelow.

2.1.It is the contention of the petitioner that the Lorry Owners Association had constituted themselves into the petitioner Federation on 25.06.1987. The federation was registered under the Tamil Nadu Societies Registration Act, 1975, (hereinafter referred as “The Act”), on 14.07.1987 before the respondent. The petitioner federation is one of the largest associations consisting of lorry owners. They are spread all over the State of Tamil Nadu and at the present, there are 113 such associations affiliated to them.

2.2.The petitioner would submit that demands were made by various members of the associations that each and every member associations should participate in the election of 13 office bearers. It was also suggested that one member association should participate for only one post and accordingly, amendment to the bye-laws under Rules 14(d) to 14(f) were introduced by the petitioner federation in its Executive Committee Meeting convened on 15.09.2023. This was done in order to ensure the participation of every member



associations in the election for 13 posts of the office bearers of the federation and taking into account the larger interest of welfare and representation of all member associations. Thereafter, the amendment was placed before the General Body Meeting of the Federation on 19.10.2023 under Agenda Item No.13, where it was unanimously approved and the amendment relating to the increase in the membership fees was prescribed in Rule 10 of the bye-law in the meeting convened on 22.12.2024 in Resolution No.10.

2.3. These amendments were filed before the respondent by the federation in compliance of Section 12 of The Act along with the annual return. The respondent had received the same and informed the petitioner federation that an additional sum of Rs.1,200/- was payable towards the amendment to the bye-laws along with a penalty of Rs.2,200/- .A total sum of Rs.3,400/- was remitted by the petitioner in favour of the respondent through e-challan. However, by an order dated 18.11.2025, the respondent returned the same by stating that the amendment has not been carried out by way of special resolution and directed the petitioner to pass a special resolution in the General Body Meeting.

2.4. This communication was however, brought to the notice of the petitioner federation only on the evening of 03.12.2025. Once again, the petitioner would submit that the amendment had been placed before the Executive Committee on 15.09.2023 and the General Body Meeting held on



19.10.2023 and it was approved by over 3/4th of the members as contemplated under Section 2(j) of The Act. In view of this communication received from the respondent dated 18.11.2025, the petitioner once again placed the amendment before the General Body Meeting on 07.12.2025. All the amendments were approved by the Special Resolution No.1.

2.5. Thereafter, the respondent returned the amendments once again by an order dated 29.12.2025 putting forth a new condition that the suit filed by the Thuraiyur Lorry Owners Sangam in O.S.No.514 of 2025 is pending. Challenging the same, the petitioner Federation is before this Court.

3. Heard the learned counsel on either side and perused the materials available on record.

4. It appears that one of the members association namely Namakkal Taluk Lorry Owners Association represented by its president Mr. Arun had filed a writ petition in W.P.No.47536 of 2025 calling for the records relating to the election conducted by the federation on 05.11.2025 and to quash the same and direct the second respondent therein not to accept the 2024 byelaw of the federation (This Court had taken note of the submission made by the petitioner herein who is arrayed as the first respondent in the earlier writ petition that a special resolution as well as the general body meeting was held in the year 2022) which



is the subject matter of this writ petition. On 19.10.2023, a specific special resolution was passed to amend the byelaws and to restrict the members of the federation. It is also seen that the petitioner in W.P.No.47536 of 2025 had participated in the meeting and signed the resolution. The said documents were returned for the want of payment of fees. However, the learned Government Advocate appearing on behalf of the sole respondent submitted that it was returned for want of special resolution.

5.The learned Judge by an order dated 05.12.2025 had dismissed the writ petition, with the following observations:

“15.The contention of the learned counsel for the petitioner that the election was conducted on the basis of unamended bye-laws cannot be accepted at this stage. A typed set has been filed by the respondents, which clearly indicates that a resolution has been passed on 15.09.2023 by the Executive Committee of the Federation, followed by a General Body Meeting of the Federation on 19.10.2023. Both the resolutions are available on record and the petitioner is also a signatory to the General Body Meeting. The resolution clearly indicates the nature of the amendment brought in the bye-laws, including restriction of voting rights to one vote per association. Therefore, in view of the dictum laid down, challenging the very election by way of the present writ petition is not maintainable.



16.The learned counsel also drew the attention of this Court to Section 12(3) and 12(4) of the Societies Registration Act.

17.A careful perusal of Section 12(3) shows that amendment of the memorandum or bye-laws shall take effect from the date of passing of such resolution. Therefore, once registration takes place after rectifying defects, it would relate back to the date of the resolution.”

6.The learned Judge had observed that the matter relating to the election cannot be questioned in this writ petition and it is well open to the petitioner to approach the competent Civil Court. Therefore, this Court had not only recognised the fact that the bye-laws had been passed by the special resolution but had also directed the petitioner therein to approach the competent Civil Court. The petitioner therein had not filed any further case. The respondent had failed to appreciate that the suit is filed only pursuant to the orders made in W.P.No.47536 of 2025. The learned Judge has further, taken into account the fact that the bye-laws had been passed by the special resolution as early as on 15.09.2023 and 19.10.2023. The order also states about the nature of the amendment brought about by the bye-laws, including restriction of voting to one vote per association.

7.Therefore, considering the fact that the respondent has totally ignored



the order dated 05.12.2025 in W.P.No.47536 of 2025 wherein the respondent was also a party, the impugned order stands quashed and the matter is remitted back to the respondent who shall consider and pass appropriate orders taking into account the order passed in W.P.No.47536 of 2025. It is informed by the learned counsel for the petitioner that all the records had been returned to the petitioner. Therefore, the petitioner shall represent the same within one week from the date of receipt of a copy of this order and the respondent shall consider and pass appropriate orders on merits and in accordance with law within a period of two weeks from the date of representation made by the petitioner.

Accordingly, this writ petition stands allowed. No costs.

20-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
ssa

To
The District Registrar
Office of the District Registrar
Namakkal District -637 001



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P.T.ASHA, J.

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