



W.P(MD)No.28010 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.11.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.28010 of 2023

M/s.5 Number Beedi Factory,
Represented by its Managing Partner,
V.T.S.A.Abdul Hameed,
S/o.Late V.T.S.Abdul Kareem,
Tirunelveli – 627 005.

... Petitioner

Vs.

The Registrar of Firms,
Palayamkottai District Registrar's Office,
Kokkirakulam,
Tirunelveli – 627 009.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to create and furnish an username and password for enabling e-filing of Form II-A and Form V of the petitioner by considering the petitioner's representation dated 03.11.2023 within a time stipulated by this Court.



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For Petitioner : Mr.J.Hariharan Alias Harish
For Respondent : Mr.S.RA.Ramachandran
Additional Government Pleader

ORDER

Heard both sides.

2. The writ petitioner is a registered partnership firm. It originally comprised 7 partners. During 2019 one of the partners is said to have been expelled. Subsequently another partner passed away in the year 2020. The petitioner wants to reconstitute the firm. But the petitioner is unable to login the necessary details. It appears that this situation has been generated on account of some objections lodged by the son of the expelled partner. The expelled partner is now no more. The petitioner had filed W.P(MD)No.22722 of 2023. After hearing both the parties including the intervenor's counsel, the writ petition was disposed of in the following terms:

“4.Considering that the petitioner has submitted a representation and it is pending consideration, this writ petition is disposed of with a direction to the respondent to conclude the proceedings, as expeditiously as possible.



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The respondent shall also provide due opportunity of hearing to the legal heirs of the deceased partner of the petitioner-firm, before taking any decision on the petitioner's representation. No costs.”

Even though the order passed as early as on 19.09.2023 it appears that the enquiry has not really taken off. This is causing difficulties to the writ petitioner. I direct the respondent to dispose of the petitioner's representation dated 03.11.2023 and pass final order after due enquiry on or before **20.01.2024**. I make it clear that I have not gone into the merits of the matter.

3. This writ petition is disposed of accordingly. There shall be no order as to costs.

27.11.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
MGA

To
The Registrar of Firms,
Palayamkottai District Registrar's Office,
Kokkirakulam,
Tirunelveli – 627 009.

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G.R.SWAMINATHAN, J.

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