



WEB COPY

WP No. 5728 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-02-2026

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

WP No. 5728 of 2026

AND

WMP NO. 6237 OF 2026

Rev.V.Thomas

..Petitioner(s)

Vs

1. The Director
FCRA Wing
Ministry of Home Affairs
(FCRA Wing)I Floor
Mayor Dyan chand Naetional
Stadium
Near Pragati Maidan
New Delhi-110 002.
2. The Union of India
Rep by secretary, Ministry of HHome affairs
FCRA Wing,I floor
Mayor Dyan Chand National
Stadium,Near pragati Maidan
New Delhi-110 002
3. Principal secretary to Government
Government of Tamilnadu
Social welfare and women Empowerment
Department
Secretariat
Namakkal Kavingnar Maaligai
Fort St.George, campus
Rajaji salai, chennai-600 009
4. The District collector Kancheepuram
Kanchipuram District collectorate office
First floor
Collectorate



Kanchipuram -631 501
Tamilnadu- India

5. The District collector
Collectorate First floor
Dindigul -624 004
Tamilnadu India

..Respondent(s)

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for a writ of Certiorarified Mandamus to call for the records relating to the impugned rejection order passed by the 1st respondent of the petitioners FCRA application File No.6700682025 dated Nil and quash the same to issue a consequential direction to direct the respondents to pass order petitioners application 15.5.2025 afresh and grant the FCRA registration certificate in accordance with law, equity and the principles of natural justice

For Petitioner(s):

R.Prabhakaran

For Respondent(s):

Mr.V.Chandrasekaran, Senior Panel Counsel for
R1 & R2

Mr.V.Jeevagiridharan, Additional Government
Pleader for R3 to R5

Order

The writ petition is filed seeking Certiorarified Mandamus to quash the rejection order passed by the 1st respondent dated Nil and direct the respondent to pass orders on the petitioner's application dated 15.05.2025 afresh and grant FCRA registration certificate.



2. It is a case of the petitioner that they are the public Charitable Trust and established in the year 2001. They had been running St. Joseph Hospice from the year 2006 in the name of "Light for the Blind". This institution provides hospice and palliative care to terminally ill and destitute persons. The Institution is purely charitable and non-profit organisation registered under the Foreign Contribution (Regulation) Act, 1976 and Section 12A and 80G of the Income Tax Act, 1961. The petitioner would submit that they have been complying with all the statutory and regulatory requirements.

3. Due to the transition from manual to online filing of FCRA return, the petitioner was facing technical issues in the DARPAM portal as well as conflicting notifications being issued by the authorities. As a result, the petitioner is unable to file the Annual return for the Financial Year 2016-17 within the prescribed time. Subsequently the petitioner had also paid the penalty and compounding amounts as directed by the respondents. Meanwhile owing to certain false and malicious complaints, they were issued with a show cause notice under Section 133(a) Cr.P.C, which resulted in illegal removal of the inmates from the hospice. The action was challenged before this Court and this Court had appointed an Advocate Commissioner, who had submitted a report that there was no wrong doing on the part of the petitioner and as a result, the impugned proceedings were quashed.



4. Despite compliance of all the requirement, payment of penalties and judicial orders, the application submitted by the petitioner for renewal of the FCRA application has been rejected. The impugned order would read as follows:

“ The application is rejected u/s 12(4)(b) and 12(4)(f)(iii) of the FCRA, 2010 wherein it has been revealed that the association is involved in criminal activities for personal gains. ”

5. Challenging the same, the petitioner is before this Court. Heard the counsels on either side.

6. Without going into the merits of the case, the mere perusal of the impugned order would clearly shows that principles of natural justice had been thrown to the winds and the request has been rejected by a non-speaking order.

7. Considering the fact that the non speaking order has been passed, that too, without affording an opportunity of personal hearing to the petitioner, the writ petition is allowed and the impugned rejection order passed by the 1st respondent of the petitioners FCRA application File No.6700682025 dated Nil, is quashed and the matter is remanded back to the 1st respondent, who shall consider the petitioner’s application afresh, after affording the opportunity of personal hearing and provide him with all the documents, based on which the



respondents have come to a conclusion that the petitioner's association is involved in criminal activities and shall pass a speaking order in the manner known to law. No costs. Consequently connected miscellaneous petition is closed.

19-02-2026

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

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