

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.01.2016

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.1445 of 2016

S.Mohansundaram

... Petitioner

Vs

The State of Tamil Nadu,
Represented by the Registrar of Firms,
Chennai South,
Saidapet, Chennai 600 015.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondent to furnish the certified copy of Form-V of the Document, contain entry of Sl.No.2/2008, dated 20.09.2008 in the Registration No.1354 of 2008, maintained under the Indian Partnership Act, 1932.

For Petitioner : Mr.Ma.P.Thangavel
For Respondent : Mr.R.A.Senthilvel,
Additional Government Pleader

ORDER

By consent, the writ petition is taken up for final disposal.

2.The petitioner has filed this writ petition seeking a direction to the respondent to furnish the certified copy of Form-V containing entry of Sl.No.2/2008 dated 20.09.2008 in Registration No.1354/2008, maintained under the Indian Partnership Act, 1932.

3.According to the petitioner, he constituted a Partnership Firm under the name and style of "M/s.Swiss Garnier Life Sciences" consisting of one M.S.Theivendran, T.Rethinavalli and the petitioner as its partners by a Partnership Deed dated 04.04.2005. The said firm has been registered with the Registrar of Firms, as per Section 59 of the Indian Partnership Act, 1932 (hereinafter shortly referred to as 'Act') on 17.09.2008 vide Registration No.1354/2008.

4.Now the grievance of the petitioner is that as per Section 67 of the Act r/w Rule 13(ii) of the Tamil Nadu (Registration of Firm) Rules, 1932, the petitioner made an application dated 05.10.2015 along with requisite fee, requesting a copy of Form V containing entry of Sl.No.2/2008 dated 20.09.2008. Thereafter, the petitioner made several representations dated 03.11.2015, 09.11.2015 and 29.12.2015 in this regard. However, there was no response on the part of the respondent. Hence, the petitioner has come forward with the present writ petition.

5.Heard Mr.Ma.P.Thangavel, learned counsel for the petitioner and Mr.R.A.Senthilvel, learned Additional Government Pleader, who took notice for the respondent.

6.Considering the facts and circumstances of the case, this Court, without going into the merits of the case, directs the respondent to dispose of the petitioner's representation dated 29.12.2015 on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

7.The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

rk

To

The Registrar of Firms,
State of Tamil Nadu,
Chennai South,
Saidapet, Chennai 600 015.

+1cc to M/S. Ma.P. Thangavel, Advocate, S.R.No.2543

+1cc to the Government Pleader, S.R.No.2717

(CO)

EU(25/01/2016)

W.P.No.1445 of 2016