

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.01.2016

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.1450 of 2016

and

WMP.No.1212 of 2016

Chennai Vazh Kovilpatti Nadar
Uravinmurai Sangam,
Reg.No.45/1984,
Rep. by its President
K.Ramasamy Nadar,
S/o.Karuppasamy Nadar,
No.43 (18/1) L.B.Road,
Adayar, Chennai 20.

.... Petitioner

Vs

1. The Inspector General of Registration,
No.100, Santhome High Road,
R.A.Puram, Chennai 28.
2. The District Registrar of Societies,
North Chennai, Rajaji Salai,
Chennai - 1.
3. The District Registrar of Societies,
South Chennai, Zeenis Road,
Saidapet, Chennai - 15.
4. Chennai Vazh Kovilpatti Nadar
Uravinmurai Sangam, Adayar,
Reg.No.61/2006, Rep. by its President
No.43 (18/1) L.B.Road,
Adayar, Chennai 20.

5. L.M.Krishnaswamy Nadar ... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents 1 and 3 to cancel the registration of Chennai Vazh Kovilpatti Nadar Uravinmurai Sangam Adayar Reg.No.61/2006 on the file of the third respondent as per Section 37(e) of the Tamil Nadu Societies Registration Act 1975 by considering the representation of the petitioner dated 04.12.2015.

For Petitioner : Mrs.Hema Sampath,
Senior Counsel
for Mr.S.Packiaraj

For Respondents : Mr.V.Subbiah,
Special Government Pleader

O R D E R

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

2.The petitioner has filed this writ petition seeking a direction to the respondents 1 and 3 to cancel the registration of the fourth respondent as per Section 37(e) of the Tamil Nadu Societies Registration Act 1975 by considering the representation of the petitioner dated 04.12.2015.

3.According to the petitioner, the petitioner Sangam was formed on 29.01.1984 for taking care of the interests of the community people and the fifth respondent was nominated as its President. Taking advantage of the faith entrusted by the members, the fifth respondent misappropriated the funds belonging to the Sangam and played fraud against the interest of the Sangam and its members and also formed a new Sangam by the same name "Chennai Vazh Kovilpatti Nadar Uravinmurai Sangam" and got it registered vide Reg.No.61/2006. On coming to know about the same, a general body meeting was convened; election was held on 23.08.2015; new President and office bearers were elected and the same were communicated by the petitioner to the concerned Registrar of Societies. The newly elected office bearers of the petitioner have also taken action against the fifth respondent, due to which, the fifth respondent illegally locked the office premises of the petitioner Sangam. Therefore, the petitioner made a representation dated 04.12.2015 to the respondents 1 to 3 requesting them to cancel the registration of the fourth respondent, but the same is yet to be disposed of. Hence, the petitioner is before this court.

4.Heard Mrs.Hema Sampath, learned senior counsel appearing for the petitioner and Mr.V.Subbiah, learned Special Government Pleader appearing for the respondents 1 to 3.

5.The learned senior counsel appearing for the petitioner, who argued on various factual aspects, submitted that it would suffice, if the respondents are directed to dispose of the petitioner's representation dated 04.12.2015 at an early date.

6.Considering the limited nature of the relief sought for herein, this Court, without going into the merits of the case, directs the respondents 1 to 3 to dispose of the representation dated 04.12.2015 submitted by the petitioner, on merits and in accordance with law, after affording due opportunity of personal hearing to all the parties, 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. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector General of Registration,
No.100, Santhome High Road,
R.A.Puram, Chennai 28.
2. The District Registrar of Societies,
North Chennai, Rajaji Salai,
Chennai - 1.
3. The District Registrar of Societies,
South Chennai, Zeenis Road,
Saidapet, Chennai 15.

+1cc to Mr.S.Packiaraj, Advocate, S.R.No.2645
+1cc to the Government Pleader, S.R.No.2718

EV(CO)
CA(03/02/2016)

W.P.No.1450 of 2016

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