

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.06.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.17066 of 2016

CSI Christian Association (54/1981)

Rep by its Member

K.Victor Arulraj

No.60 Valluvar E.Block,

Bhavini Township,

Anupuram-603 127.

.... Petitioner

Vs.

1. The Government of Tamilnadu

Rep by its Chief Secretary

Secretariat

Fort St. George,

Chennai-9.

2. The Inspector General (Registration)

No.100, Santhome High Road

Chennai-28

3. The District Registrar (Administration)

No.17, Rajaji Road

Opposite to Kavitha Studio,

Chengalpattu.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 1st respondent to consider the representation of the petitioner association dated 06.02.2016 and 12.02.2016 by invoking section - 54 of the Tamilnadu Societies Registration Act and Rule - 48-A(2) of the Tamilnadu Societies Registration Rules within the Stipulated time.

For Petitioner : Mr.D.Muthukumar

For Respondents : Mr.S.Govindasamy
Special Government Pleader

O R D E R

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

2. The petitioner Association claims that their office was functioning in CSI Canon Church and it was washed away on account of Tsunami on 26.12.2004 and as a consequence, the entire records have been lost. Therefore, they were not in a position to file their annual Returns and in this regard, the 3rd respondent issued a notice dated 11.01.2016, intimating the petitioner / Association that the name of the Association will be published in the Gazette as "Struck off from the Register" due to non-compliance of section 16[3] of the Tamil Nadu Societies Registration Act, 1975. In this regard, the petitioner / Association has sent representations dated 06.02.2016 and 12.02.2016 u/s.54 of the said Act read with Rule 48-A[2] of the Tamil Nadu Societies Registration Rules, for re-consideration of the decision and since no orders have been passed by the respondents, the petitioner has come up with the present writ petition.

3. Heard the submissions of the learned counsel for the petitioner and Mr.S.Govindasamy, learned Special Government Pleader, who accepts notice on behalf of the respondents.

4. This Court, taking into consideration, the limited scope of prayer sought for by the petitioner and without going into the merits of the same, directs the 1st respondent to consider the petitioner's representations dated 06.02.2016 and 12.02.2016 on merits and in accordance with law and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

5. The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

AP

To

1. The Chief Secretary
Government of Tamilnadu
Secretariat
Fort St. George, Chennai-9.

2. The Inspector General (Registration)
No.100, Santhome High Road
Chennai-28
3. The District Registrar (Administration)
No.17, Rajaji Road
Opposite to Kavitha Studio,
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+lcc to Mr.D.Muthu Kumar, Advocate, S.R.No.28976
+lcc to the Government Pleader, S.R.No.29500

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CTK(CO)
CA(10/06/2016)



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