

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 09.06.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.19433 of 2016

Chennai Vazh Kovilpatti Nadar Uravinmurai
Sangam, Reg.No.45/1984, rep.by its
President

.. Petitioner

Vs.

- 1.The Inspector General of Registration
No.100 Santhome High Road,
RA Puram, Chennai-28.
- 2.The District Registrar of Societies
North Chennai, Rajaji Salai, Chennai-1.
- 3.L.M.Krishnaswamy Nadar ..

Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the 2nd respondent to pass an order on the petitioner's representation dated 24.04.2016.

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

For Respondents : Mr.R.Vijayakumar, AGP

O R D E R

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

2 The petitioner, in the affidavit filed in support of this writ petition would state among other things that the 3rd respondent was nominated as the President of "Chennai Vazh Kovilaptti Nadar Uravinmurai Sangam" at the time of his inception and purchased valuable property in No.18/1, L.B. Road, Adayar, Chennai-20 and the current value of the said property is about Rs.25 Crores. The grievance expressed by the petitioner is that the 3rd respondent belied the confidence reposed on him and floated another Association under the very same name and also got it registered with Registration No.61/2006. In this regard, the District Registrar, South Chennai, was also approached, who in turn, has passed an order to change the name and despite that, it has not been changed and further proceedings are on. The petitioner would further state that the 3rd respondent had failed to submit the

Annual Return from the year 1993 and accordingly, the petitioner Sangam bearing Regn.No.45/1984 convened a General Body Meeting on 23.08.2015 and new set of Office Bearers were elected and as such, the 3rd respondent is no longer an Office Bearer of the petitioner Association bearing Regn.45/1984. It is further stated that the 3rd respondent has misrepresented before the 2nd respondent, as if he has conducted the General Body Meeting on 30.09.2014 and conducted the election and the records relating to the proceedings are nothing but false and concocted. The petitioner, in this regard, submitted a representation dated 24.04.2016 before the 2nd respondent, praying taking necessary action against the 3rd respondent u/s.34 and 36 of the Tamil Nadu Societies Registration Act and since no response is forthcoming, the petitioner is constrained to approach this Court by filing this writ petition.

3 Heard Mrs.Hema Sampath, learned Senior Counsel for the petitioner and Mr.R.Vijayakumar, learned Additional 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 claim projected by the petitioner either in his representation or in the writ petition, directs the 2nd respondent to consider and dispose of the petitioner's representation dated 24.04.2016 on merits and in accordance with law, after putting on notice, the 3rd respondent herein 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 as well as to the 3rd respondent.

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

Sd/-

Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

AP

To

1.The Inspector General of Registration
No.100 Santhome High Road,
RA Puram, Chennai-28.

2.The District Registrar of Societies
North Chennai, Rajaji Salai, Chennai-1.

1 cc to Government Pleader, Sr. 31249

1 cc to Mr.S. Packiaraj, Advocate, Sr. 31088

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