

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.11.2016

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P.No.41247/2016  
& WMP.No.35219/2016

The Thiagaraya Nagar Ladies  
Club Rep. by its President Mrs.J.Selvi  
Having Office at New No.42/22 Old No.7A  
Raman Street T.Nagar  
Chennai-600 017. ...Petitioner

Vs.

The Registrar of Societies  
South Chennai District Registrar Office  
Saidapet Chennai-600 015. ...Respondent

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of certiorarified mandamus to call for the records relating to impugned order in Na.Ka. No.14615/E2/2016 dated 17.10.2016 passed by the respondent and quash the same thereby direct the respondent to renew the petitioners societies registration No.1 of 1938 within a time frame as fixed by this Court in accordance with law.

For Petitioner : Mr.P.Alagar Bose

For Respondent : Mr.A.Kumar, Spl.GP

ORDER

Heard the learned counsel for the petitioner and Mr.A.Kumar, learned Special Government Pleader who accepts notice on behalf of the respondent and with the consent on either side the writ petition is taken up for final disposal.

2 The case of the petitioner is that vide impugned order dated 17.10.2016, the respondent has rejected the request of the petitioner seeking renewal of the Club with

the respondent/Registrar Office, on the ground that already the petitioner's club has been declared as a "defunct club" on 29.07.1976 itself and that the name of the petitioner's Club has been removed from the Registrar maintained with the office of the respondent and the appeal period, challenging the order dated 29.07.1976 has already expired. Challenging the legality of the said impugned order, the petitioner has come up with the present petition and with a further prayer to direct the respondent to renew the registration of the petitioner's Club.

3 The learned Special Government Pleader submitted that the petitioner has not challenged the order passed on 29.07.1976, declaring the petitioner's club as a "defunct Club" and without challenging the same, the petitioner has come forward challenging the subsequent order dated 17.10.2016.

4 A perusal of the impugned order dated 17.10.2016 would disclose that the petitioner Club has been declared as a "defunct" Club way back on 29.07.1976 and the name of the Club has already been removed from the List of the Clubs maintained with the office of the respondent and further, the period of limitation for preferring an appeal had already lapsed. Now, the petitioner cannot seek for another relief to renew its registration with the respondent. Further, the removal of the Club has already been published in the Gazette Notification and that without challenging the order dated 29.07.1976, now the petitioner cannot revive the same and the petitioner Club has not taken any steps right from the year 1976 and only now they seek the above relief. This Court does not find any merit in the impugned order passed by the respondent dated 17.10.2016.

5 Accordingly, the writ petition stands dismissed. No costs. Consequently, the connected miscellaneous petition is also dismissed.

Sd/-  
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

AP

To

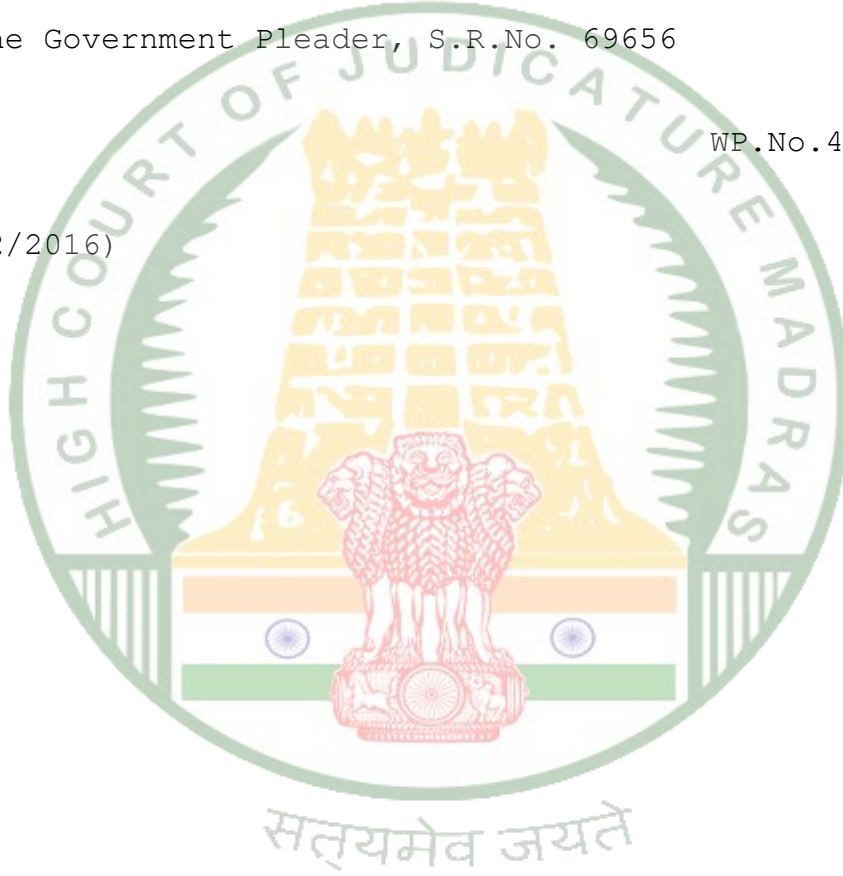
The Registrar of Societies  
South Chennai District Registrar Office  
Saidapet Chennai-600 015.

+1cc to Mr.P.Alagar Bose, Advocate, S.R.No. 69468

+1cc to the Government Pleader, S.R.No. 69656

WP.No.41247/2016

AD (CO)  
PSI (28/12/2016)



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