

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.06.2017

CORAM

THE HON'BLE Mr. JUSTICE M.DURAISWAMY

W.P.No.43251 of 2016
and W.M.P.No.3126 of 2017

V.V.R.Choudry

... Petitioner

Vs.

1. The Secretary,
Government of Tamil Nadu
Commercial Taxes & Registration Department,
Secretariat, Fort St.George,
Chennai - 600 009.
2. The Inspector General of Registration,
No.100, Santhome High Road,
Chennai - 600 028.
3. The District Registrar of Societies,
District Registration Office (South),
Saidapet, Chennai - 600 015.
4. The Cine Technician Association of South India,
rep by its Secretary,
S-1 & S-2, Nathan Buildings,
4/7 North Usman Road, Chennai - 600 017. ... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the 1st respondent to invoke Section 34-A of the Tamil Nadu Societies Registration Act, 1975 and supersede the 4th respondent Society and appoint a Special Officer for the 4th respondent Society.

For Petitioner : Mr.K.Elango
For Respondents : Mr.A.N.Thambidurai,
Special Government Pleader (R1 to R3)

O R D E R

The petitioner has filed the above Writ Petition to issue a writ of mandamus directing the 1st respondent to invoke Section 34-A of the Tamil Nadu Societies Registration Act, 1975 and supersede the 4th respondent Society and appoint a Special

Officer for the 4th respondent Society.

2. According to the petitioner, by letter dated 01.06.2016, the 1st affirmed that the appointment of a Special Officer to the 4th respondent Society are under process in consultation with the 2nd respondent. Thereafter, on 08.06.2016, 07.07.2016 and 22.07.2016, the petitioner made reminders to the 1st respondent to take immediate action to supersede the 4th respondent by invoking Section 34-A of the Tamil Nadu Societies Registration Act, 1975, however, the 1st respondent has not taken any action so far. Further, according to the petitioner, the 1st is bound to act on the basis of the recommendations made by the 2nd respondent and the inaction on the part of the 1st respondent in not invoking Section 34-A of the Act is against law.

3. Mr. A. N. Thambidurai, learned Special Government Pleader taking notice for the respondents 1 to 3 submitted that the 1st respondent may be directed to pass orders in accordance with law, in view of the letter, after giving notice to the 4th respondent.

4. Having regard to the submissions made by the learned counsel on either side, taking into consideration the limited prayer sought for in the Writ Petition, without expressing any opinion with regard to the merits of the case, I direct the 1st respondent to pass orders in accordance with law, in view of the letter dated 01.06.2016 regarding superseding the Committee and the appointment of Special Officer to the 4th respondent, after giving notice to the 4th respondent, within a period of eight weeks from the date of receipt of a copy of this order.

5. With these observations, the Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

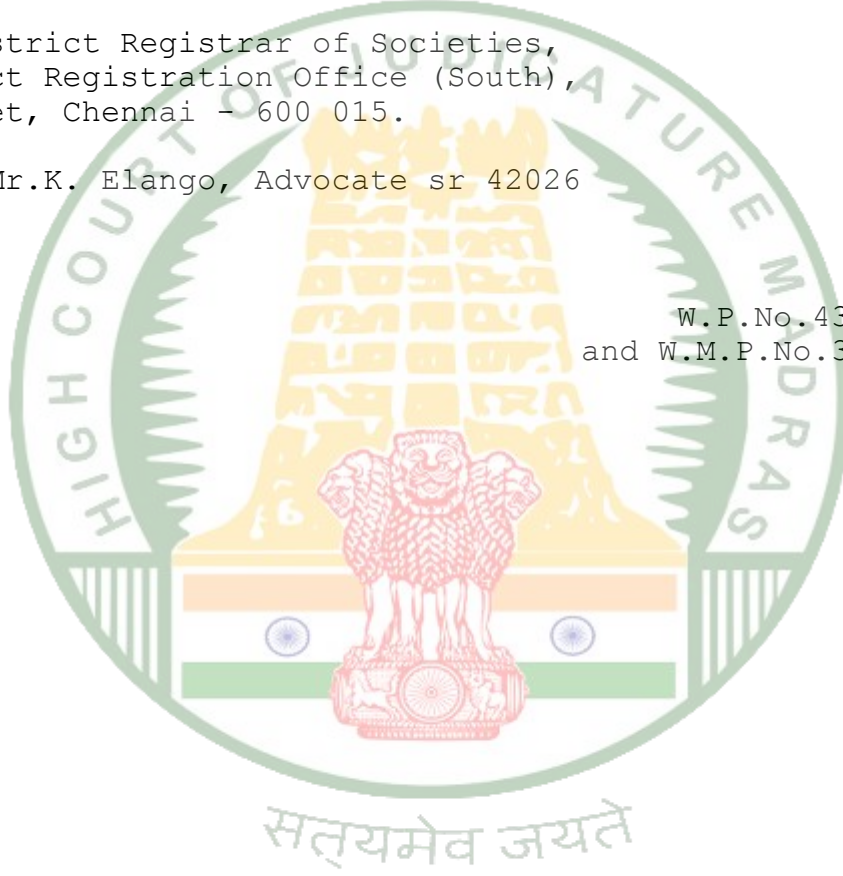
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To

1. The Secretary,
Government of Tamil Nadu
Commercial Taxes & Registration Department,
Secretariat, Fort St.George,
Chennai - 600 009.
 2. The Inspector General of Registration,
No.100, Santhome High Road,
Chennai - 600 028.
 3. The District Registrar of Societies,
District Registration Office (South),
Saidapet, Chennai - 600 015.
- +1 CC to Mr.K. Elango, Advocate sr 42026

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