

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 04.10.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVANW.P. (MD) No.18440 of 2017

K.Balaji

... Petitioner

Vs.

1.The District Registrar (Administration),
Registrar of Societies,
Collectorate Campus,
Kokkirakulam,
Tirunelveli District.

2.The Secretary,
The District Club,
North High Ground Road,
Palayamkottai,
Tirunelveli District.

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to consider the Petitioner's representation dated 14.09.2017 and direct to take all further follow up action Under Section 44 of the Tamilnadu Societies Registration and Rules thereof.

For Petitioner : Mr.N.GA.Natraj

For Respondents : Mr.T.S.Mohamed Mohideen,

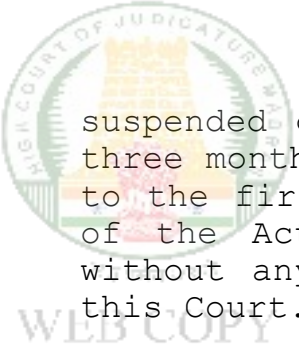
Additional Government Pleader for R.1

ORDER

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

2. Mr.T.S.Mohamed Mohideen, learned Additional Government Pleader, takes notice for the first respondent. Notice to the second respondent is dispensed with, as no adverse order is going to be passed against them and opportunity of hearing will be given, by the authorities concerned, at the time of hearing.

3. The petitioner, who is one of the members of the second respondent club, would submit that due to misappropriation of funds and some irregularities, the first respondent had initiated action against the second respondent club, under section 44(3) of the Tamil Nadu Societies Registration Act (hereafter referred as "Act"), followed by a notice under section 44(3)(b) of the Act, in the year 2014. It is the specific case of the petitioner that when he questioned about the irregularities, his membership was temporarily



suspended on 29.08.2017, by the club authorities, for a period of three months. Thereafter, he sent a representation dated 14.09.2017, to the first respondent, to take follow up action under section 44 of the Act, which according to the petitioner is kept pending, without any action and aggrieved thereby, the petitioner is before this Court.

4. Considering the facts and circumstances of the case, this Court, without going into the merits of the case, directs the first respondent to consider the representation of the petitioner dated 14.09.2017 and pass appropriate orders, on its own merits and in accordance with law, after affording due opportunity of hearing to the petitioner as well as the second respondent and all other interested parties, if any, within a period of six weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD-II)

/True Copy/

Sub Assistant Registrar

To

The District Registrar (Administration),
Registrar of Societies,
Collectorate Campus,
Kokkirakulam,
Tirunelveli District.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 81650
+1cc to Mr.N.GA.NATRAJ Advocate in SR. No. 81562

GK

JS/MR.KKR/SAR.1/12.10.2017/2P-4C

W.P. (MD) No.18440 of 2017
04.10.2017