

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

DATED : 20.03.2017

CORAM :

THE HONOURABLE JUSTICE **V.PARTHIBAN****W.P(MD) No.12189 of 2016****and****WMP(MD) No.9284 of 2016**

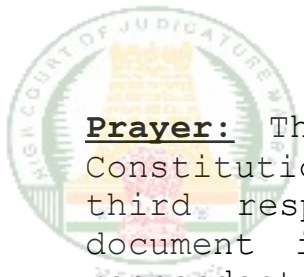
Hindu Nadar Uravinmurai,
Nilakottai,
(Registration No.46 of 2013),
represented by its President,
O.S.N.M.Naryanan,
S/o.Marimuthu Nadar,
Door No.12-1-1A/24,
Shanmuga Nagar,
Nilakottai-624208,
Dindigul District.

... Petitioner

Vs.

1. The Inspector General of Registration,
No.100, Santhome High Road,
Foreshore Estate,
Pattinapakkam,
Chennai-600028.
2. The District Registrar,
Dindigul.
3. The Sub-Registrar,
Nilakottai.
4. Hindu Nadar Educational Trust,
represented by its Managing Trustee,
A.Suseendran,
S/o.Arunachalam,
Door No.15-15-16,
Mariamman Kovil Street, Nilakottai.
5. A.Suseendran
6. S.P.Pandiyarajan
7. P.R.Suresh Babu
8. N.B.Karumalai Pandiyan
9. A.Meganathan

... Respondents



Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus forbearing the third respondent from registering and releasing the pending document in P57/2016 dated 29.06.2016 executed by the eighth respondent as secretary of the Nilakottai Hindu Nadar Uravinmurai Periyannayagi Rangasamy Matriculation Higher Secondary School run by the petitioner society in favour of the ninth respondent and consequently directing the third respondent to conduct an enquiry as per Rule 55(c) of the Registration Rules in Registration Act, 1908 with regard to the objections raised by the petitioner society.

For Petitioner	:	Mr.J.Barathan
For R1 to R3	:	Mr.D.Muruganandham Additional Government Pleader
For R4 to R9	:	Mr.M.Ajmalkhan Senior Counsel for M/s. Ajmal Associates

O R D E R

This writ petition has been filed for a writ of Mandamus forbearing the third respondent from registering and releasing the pending document in P57/2016 dated 29.06.2016 executed by the eighth respondent as Secretary of the Nilakottai Hindu Nadar Uravinmurai Periyannayagi Rangasamy Matriculation Higher Secondary School run by the petitioner Society in favour of the ninth respondent and consequently, directing the third respondent to conduct an enquiry as per Rule 55(c) of the Registration Rules in Registration Act, 1908 with regard to the objections raised by the petitioner society.

2. This Court, vide order dated 12.07.2016, passed an interim order, which is extracted below:

"Heard the Learned Counsel for the Petitioner.

2. The main grievance of the petitioner appears to be that when the Registration Act, 1908 and the Rules made thereunder enjoin the Registering Authority to enquire into the validity of document brought before him in terms of Rule 55 of the Tamil Nadu Registration Rules under the Registration Act, 1908, if objections are raised, the third respondent/Sub Registrar, Nilakkottai, has not issued notice to the petitioner/Society and conducted any enquiry in regard to the objections raised by the petitioner/Society and is endeavouring to register and release the document based on the legal opinion.

3. At this stage, Mr.S.Kumar, Learned Additional Government Pleader appearing for the respondent Nos.1 to 3 informs this Court that he would obtain necessary instructions from the respondent Nos.1 to 3 and in this



regard, seeks time for filing of counter.

4. Accordingly, for filing of counter for the respondent Nos. 1 to 3, time is granted till 02.08.2016. In respect of the respondent Nos. 4 to 9, notice is ordered through Court returnable by then. Private notice is also permitted. In the meanwhile, the third respondent is directed to look into the objections, dated 29.06.2016, raised by the petitioner/society and consider the same in the manner known to Law and in accordance with Law. Further, the Learned Additional Government Pleader is to appraise this Court about the same on 02.08.2016.

5. The Registry is directed to list the matter on 02.08.2016."

3. However, when the matter is taken up for hearing, the learned Senior counsel appearing for the respondents 4 to 9 would submit that the document dated 29.06.2016 had already been registered and released on 13.07.2016.

4. In the said circumstances, it appears that the prayer sought for in the writ petition does not survive for any consideration. In case the petitioner still has any grievance, he may resort to any remedy in a manner known to law.

5. With the above observation, the writ petition stands closed. No costs. Connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Inspector General of Registration,
No.100, Santhome High Road,
Foreshore Estate,
Pattinapakam,
Chennai-600028.
2. The Registrar,
Dindigul.
3. The Sub-Registrar,
Nilakottai.

+1cc to M/s. T.R.JEYAPALAM Advocate in SR. NO.16481

+1cc to SPECIAL GOVERNMENT PLEADER in SR. No.16608

AKV/PSD

JS/SV.MMS/3P-6C/12.04.2017

<https://hcservices.ecourts.gov.in/hcservices/>

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