



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.04.2017

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WEB COPY

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P. (MD) No.4066 of 2017

Kalloorani Kshathriya Nadargal Uravinmurai
Kalloorani,
rep. by its President,
N.Rajamanickam,
Kalloorani,
Aruppukkottai Taluk,
Virudhunagar District.

... Petitioner

Vs.

The District Registrar (Societies Registration)
Virudhunagar District.

...Respondent

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to approve the Form VII Submitted by the petitioner on 26.08.2016 acknowledged by the respondent on 29.08.2016.

For Petitioner : Mr.V.Panneer Selvam

For Respondent : Mr.A.Muthukaruppan
Additional Government Pleader

ORDER

This writ petition has been filed by the petitioner seeking for issuance of a Writ of Mandamus directing the respondent to approve the Form VII Submitted by the petitioner on 26.08.2016 acknowledged by the respondent on 29.08.2016.

2.The case of the petitioner is that as per bye-law of the society, election was conducted for selection of office-bearers on 23.07.2016 and the present president had been elected in this selection. After election, the president assumed in the office as per bye-law and as per bye-laws, the General Body was convened on 18.08.2016 and the other office-bearers were elected and the same was approved by the General Body. Thereafter, the petitioner sent Form VII to the respondent to approve the change



of office-bearers as per the Tamil Nadu Societies Registration Act, 1975. However, no decision has been taken till date in respect of filing of the Form VII presented by the petitioner. According to the petitioner, there is no rival Form VII pending before the respondent. Although there is a suit, which was filed by one Karuppiyah Nadar in O.S.No.151 of 2016 for declaration and permanent injunction, according to the petitioner, there is no interim order passed in the said suit. Therefore, he would submit that there is no legal impediment for the respondent for filing Form VII in terms of provision of the Tamil Nadu Societies Registration Act.

3. On notice, Mr.A.Muthukaruppan, learned Additional Government Pleader entered appearance on behalf of the respondent and a counter affidavit has also been filed.

4. The fact, which is stated in the affidavit filed in support of the writ petition, has been admitted by the respondent.

5. Such being the case, as contended by the learned counsel appearing for the petitioner, there is no legal impediment for approving the Form VII said to have been submitted by the petitioner.

6. In such view of the matter, the respondent is directed to take Form VII on file for approval submitted by the petitioner in terms of the provisions of the Tamil Nadu Societies Registration Act and communicate the decision to the petitioner, within a period of two weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

The District Registrar (Societies Registration)
Virudhunagar District.

+1cc to Mr.V.Panneer Selvam, Advocate Sr.No.53805

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