



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED:23.03.2017**

Coram:

WEB COPY

THE HONOURABLE MR.JUSTICE V.PARTHIBAN,

W.P. (MD) No. 5077 Of 2017

G.Gideon

...Petitioner

-Vs-

1.The Inspector General of Registration,
Santhome High Road,
Chennai.

2.The District Registrar of Societies,
O/o. The District Registrar,
District Court Compound,
Trichirappalli.

...Respondents

Prayer: This Writ Petition filed under Article 226 of the Constitution of India, prayed for issue an order or direction or in the nature of Writ of Mandamus directing the 2nd respondent to consider the representation dated 18.10.2016 and to conduct enquiry and pass appropriate orders by complying proceedings No.30164/I2/2014 dated 21.12.2016 issued by the 1st respondent.

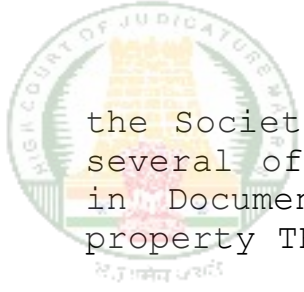
For Petitioner : Mr.K.K.Senthil

For Respondents : Mr.A.Muthukaruppan
Additional Government pleader

ORDER

The writ petitioner has approached this Court seeking a direction to the 2nd respondent to consider his representation dated 18.10.2016, and to conduct enquiry and pass appropriate orders by complying with the proceedings No.30164/I2/2014 dated 21.12.2016, issued by the 1st respondent.

2.The petitioner is working as a Pastor in Tamil Evangelical Lutheran Church (In short TELC) a Christian denomination established in 1919 and registered under the Societies Registration Act in Registration No.2/1918-18. The TELC has vast properties and it runs several educational institutions. According to the petitioner, the Church of Sweden Mission of India (in short CSM) is another Society registered under the Societies Registration Act in Registration No.4/1935-1936. Since both of



the Societies are more or less identical, the CSM had transferred several of its properties to TELC by way of registered documents in Document Nos.157/1962 and 2010/1962 and after transfer of property TELC is administering the properties

3.While the matter stood thus, one Kremmer Sandagren Foundation (in short KSF) is another registered Society having registration No.5/1957 started claiming right in the properties of the CSM by creating bogus resolution dated 15.12.2015, as if CSM amalgamated with KSF, as averred by the petitioner. According to the petitioner, the said KSF has been creating problem in the petitioner's Society by coming up with bogus claims on administering the properties held by the CSM, some of them were transferred to TELC. In the above circumstances, the petitioner has submitted a complaint dated 18.10.2016, to the second respondent to conduct enquiry and pass orders. It also appears that the first respondent by his proceedings dated 21.12.2016, had directed the second respondent to conduct enquiry into the matter. According to the petitioner, inspite of the directions issued by the second respondent, no action has been initiated by the second respondent and the petitioner has not been communicated with any decision. Therefore, the petitioner is before this Court seeking issuance of a Mandamus.

4.Mr.A.Muthukaruppan, the learned Additional Government Pleader appearing for the respondents has no objection for grant a direction as prayed for in the writ petition.

5.In view of the limited direction being sought for in the present petition, this Writ Petition is disposed of in the admission stage itself by issuing the following direction:

The second respondent is directed to conduct an enquiry into the complaint said to have been filed by the petitioner on 18.10.2016 by affording opportunity of hearing to all the parties concerned and complete the enquiry and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

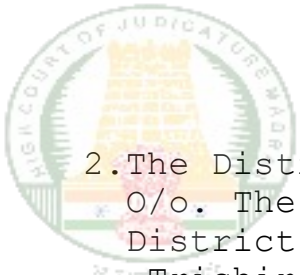
Assistant Registrar(AS)

/True copy/

Sub Assistant Registrar

To

<https://hcservice.tn.gov.in/> The Inspectors General of Registration,
Santhome High Road,
Chennai.



2.The District Registrar of Societies,
O/o. The District Registrar,
District Court Compound,
Trichirappalli.

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+1 cc to Mr.K.K.Senthil , Advocate in SR.No. 16990
+1 cc to Special Government Pleader in SR.No:17647

das

AE/SV MMS/SAR2/10.04.2017/3P/5C

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