

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.08.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.1571 of 2016

and

W.M.P.Nos.1330 & 1331 of 2016

and 25263 of 2017

Orathur Thiruvalluvar Uyarnilai
Palli Committee,
Rep.by its Secretary,
(The Educational agency of Orathur Thiruvalluvar
Higher Secondary School),
304, West Street, Orathur,
Chidambaram Taluk. ..Petitioner

Vs.

- 1.The Inspector General of Registration,
120, Santhome High Road,
Chennai - 600 028.
- 2.The District Registrar of Societies,
District Registrar (Administration),
Chidambaram. ..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the entire records connected with the impugned proceedings passed by the 1st respondent vide No.48379/I1/2004, dated 13.05.2015 and consequential order of the 2nd respondent vide Na.Ka.No.3014/Aa4/2010, dated 16.6.2015 and quash the same and direct the 1st respondent to dispose of the petitioner's appeal dated 24.01.2011 afresh by accepting and taking into file the returns submitted by the petitioner.

For Petitioner	: Mr.S.N.Ravichandran
For Respondents	: Mr.T.M.Pappiah Special Government Pleader

O R D E R

The order passed by the first respondent in proceeding dated 13.5.2015 and the consequential order of the second respondent dated 16.6.2015 are under challenge in this writ petition and further direction is sought for to the first respondent to dispose of the appeal submitted by the writ petitioner on 24.01.2011 afresh by accepting and taking into file and returns filed by the writ petitioner.

2. The learned counsel appearing for the writ petitioner made a submission that the documents and the returns filed by the writ petitioner at the time of hearing of the appeal had not been considered by the first respondent and the impugned order was passed against the writ petitioner, without even looking into the documents filed by the writ petitioner. It is further stated that there is no reference in respect of the documents filed by the writ petitioner in the impugned order and there is no finding in this regard. This apart, some other documents, which are all under the custody of the Secretary of the School was unable to be furnished at the time of hearing of the appeal. It is necessary for the writ petitioner to submit all those documents before the first respondent for an effective adjudication of the appeal before the first respondent.

3. In this view of the matter, this Court is of an opinion that it is a fit case for remand. Accordingly, the impugned order dated 13.5.2015 passed by the first respondent is quashed. The first respondent is directed to restore the appeal on file and provide an opportunity to all the parties to submit their documents and pleadings, if any and thereafter, hear the appeal and pass orders on merits and in accordance with law, without causing any further delay and preferably within a period of twelve weeks from the date of receipt of a copy of this order.

4. With the above direction, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS ix)

//True Copy//

Sub Assistant Registrar

ms

To

1.The Inspector General of Registration,
120, Santhome High Road,
Chennai - 600 028.

2.The District Registrar of Societies,
District Registrar (Administration),
Chidambaram.

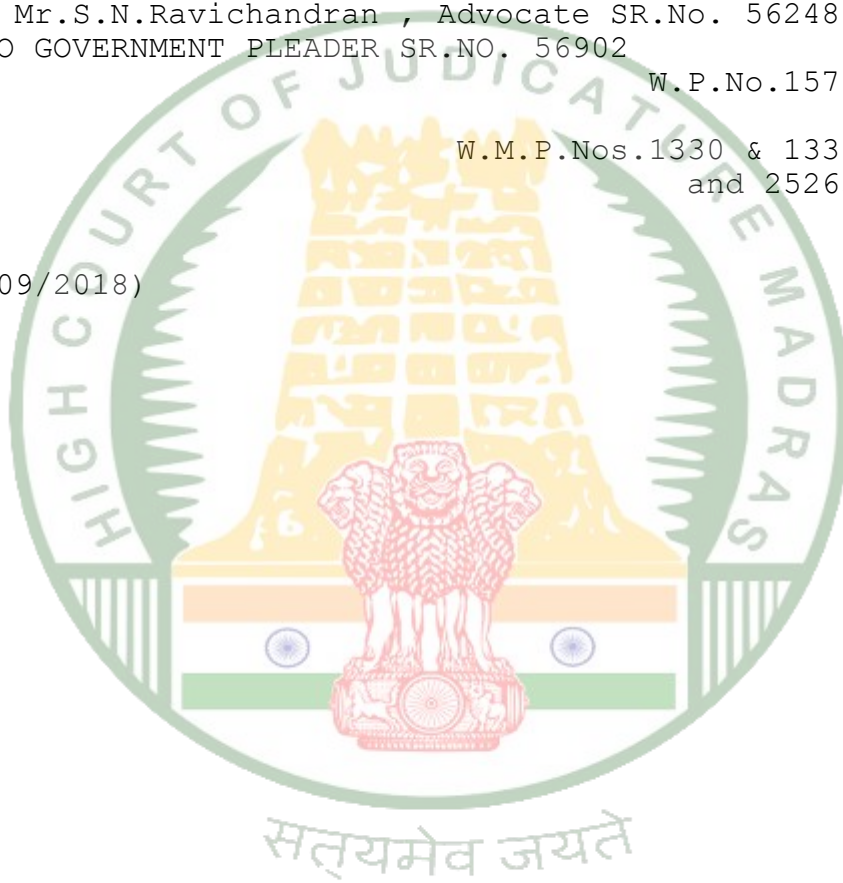
+1cc to Mr.S.N.Ravichandran , Advocate SR.No. 56248

+1 CC TO GOVERNMENT PLEADER SR.NO. 56902

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ASK(19/09/2018)



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