

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.22141 of 2013

and

M.P.No.1 of 2013

J.Duraisingam

...Petitioner

Versus

1.The Secretary to Government,
Commercial Taxes and Registration Department,
Secretariat, Chennai - 600 009.

2.Inspector-General of Registration,
Santhome,
Chennai - 600 028.

3.District Registrar of Societies,
(Court Complex),
Tiruchirappalli.

4.Mr.E.D.Charles

... Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the first respondent to consider and pass orders on the representation of the petitioner dated 12.7.2013 and to appoint a Special Officer to take over the administration of Tamil Evangelical Lutheran Church, a Society registered under the Societies Registration Act (Central Act 2 of 1919) and which is deemed to have been registered under the Tamil Nadu Societies Registration Act, 1975.

For Petitioner : Mr.M.Sivavarthanan

For Respondents : Mr.M.Thamizharesan
Government Advocate for R1 to R3
Mr.R.Kannan for R4

O R D E R

The petitioner has come forward with this writ petition seeking for issuance of a writ of mandamus, to direct the first respondent to appoint a Special Officer to take over the

administration of Tamil Evangelical Lutheran Church, by invoking the provision of the Tamil Nadu Societies Registration Act.

2. Heard the learned counsel for the petitioner, learned Government Advocate appearing for the respondents 1 to 3 and the learned counsel appearing for the fourth respondent and perused the material records.

3. In 2015(1) Law Weekly 289 (SC) [S.Martin Devaraj Vs.Rt.Rev.H.A.Martin], the Supreme Court has held that the provisions of the Societies Registration Act, have no application to the Society of the Tamil Evangelical Lutheran Church.

4. In the light of the above decision, the petitioner is not entitled for the relief sought for in this writ petition. Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Deputy Registrar

//True copy//

Sub Assistant Registrar

ms

To

1.The Secretary to Government,
Commercial Taxes and Registration Department,
Secretariat, Chennai - 600 009.

2.Inspector-General of Registration,
Santhome,
Chennai - 600 028.

+1cc to Mr.M.Siva Prakash, Advocate SR.No.41214
+1cc to Government Pleader SR.No.41874

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GN(13/07/2018)