

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :27.06.2018

CORAM

THE HONOURABLE Mr.JUSTICE V.PARTHIBAN

W.P.No.3499 of 2012 and

M.P.No.1 of 2012

Mahalakshmi Cultural Association,
Rep by its Secretary D.K.G.Reddy,
Old No.30, New No.58, North Boag Road,
T.Nagar,
Chennai 600 017. Petitioner

Vs

The Registrar of Societies,
Chennai South,
No.9, Genies Road,
Saidapet,
Chennai-15. Respondent

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari, to call for the records relating to the proceedings of the respondent made in Na.Ka.No.14961/E2/2011, dated 06.02.2012 and to quash the same.

For Petitioner : Mr.L.Chandrakumar for
Mr.N.Anand

For Respondent : Mr.P.P.Purushothaman,
Government Advocate

O R D E R

The petitioner is before this Court challenging the order passed by the respondent in cancelling the registration of the Society on the ground that the Society was carrying on unlawful activities.

2. According to the learned counsel for the petitioner, there was no unlawful activity at all. Therefore, the cancellation was per se illegal and cannot be countenanced in law. According to him, a criminal case which was instituted for the so called unlawful activity ended in acquittal.

3. When the matter is taken up for hearing, it is found that there is an appeal provided under Section 45 of the Tamil Nadu Societies Registration Act, 1975 and without exhausting the

appellate remedy available under the statute, the petitioner has chosen to invoke the special jurisdiction of this Court under Article 226 of the Constitution of India. When an effective appellate remedy is provided under the statute viz., Tamil Nadu Societies Registration Act, this Court does not see any justification for the petitioner to bypass such appellate remedy and be allowed to invoke the jurisdiction of this Court under Article 226 of the Constitution of India.

4. Therefore, without expressing any opinion on the merits of the case, this writ petition is dismissed as not maintainable. It is open to the petitioner to invoke the appellate remedy as provided under the Act, if he is so advised. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Deputy Registrar(CS)

//True Copy//

Sub Assistant Registrar

gsk

TO

The Registrar of Societies,
Chennai South,
No.9, Genies Road,
Saidapet, Chennai-15.

+1cc to Mr.N.ANAND, Advocate, S.R.No. 41555
+1cc to the Government Pleader, S.R.No. 41353

सत्यमेव जयते

W.P.No.3499 of 2012

TR(05/07/2018)

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