



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.06.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.12192 of 2018

and

W.M.P. (MD) No.11090 of 2018

S.Subbaiah

... Petitioner

-Vs-

1.The Registrar of Societies,
Tenkasi, Tirunveli District.

2.Sengunthar Samudhaya Kalvi Committee,
Represented by its President A.Mani,
No.2/28, Vedha Kovil Street,
Subbulapuram, Sankarankovil Taluk,
Tirunelveli District.

3.A.Mani

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to take appropriate action against the third respondent and initiate proceedings under Section 36 of the Tamil Nadu Societies Registration Act against the second respondent Society.

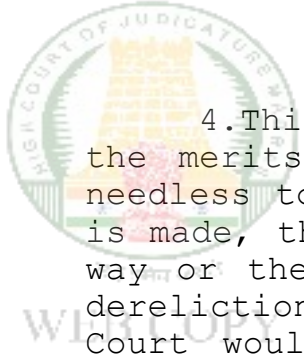
For Petitioner : Mr.Niranjana S.Kumar
For R1 : Mr.V.Anand,
Government Advocate.

ORDER

Heard Mr.Niranjana S.Kumar, learned counsel appearing for the petitioner and Mr.V.Anand, learned Government Advocate, who takes notice on behalf of the first respondent.

2.By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3.It is the grievance of the petitioner that his representation dated 24.05.2018 to take appropriate action against the third respondent and initiate proceedings under Section 36 of the Societies Registration Act against the second respondent Society, has not been considered by the first respondent till date and therefore, he has filed the present writ petition.



4.This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

5.In view of the limited prayer sought for in this writ petition, there shall be a direction to the first respondent to consider the petitioner's representation dated 24.05.2018 on its own merits and take further action in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

6.With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-III)

/True copy/

Sub Assistant Registrar

To

The Registrar of Societies,
Tenkasi, Tirunveli District.

+1cc to Special Government Pleader, SR.No.67604.
+1cc to Mr.Niranjan S.Kumar, Advocate, SR.No.67400.

W.P.(MD)No.12192 of 2018
08.06.2018

MYR

RAM/KKR/SAR 4/19.06.2018/2P/4C