



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P. (MD) No.14164 of 2018

Augustus Samuel Dodd

... Petitioner

vs.

1.The Secretary to the Government of India

Ministry of Home Affairs

Foreigners Division (FCRA Wing)

"First Floor NDCC-II Building"

1, Jai Singh Road, New Delhi-110001

2.The Director (FCRA)

Ministry of Home Affairs

FCRA Wing, 1st Floor

Major Dhyan Chand National Stadium

Near Pragati Maidan, New Delhi-110 001

3.The Director (Monitoring Unit)

Ministry of Home Affairs

FCRA Wing, 1st Floor

Major Dhyan Chand National Stadium

Near Pragati Maidan, New Delhi-110 001

4.The General Secretary

Young Men's Christian Association

YMCA Main Gurad Square

49, West Avani Moola Street, Madurai

5.The General Secretary

Y.m.c.a Kamak High School and

Home For the Deaf

Visalakshipuram, Madurai-625 014

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents 1 to 3 to take appropriate action against the respondents 4 & 5 under the provisions of Foreign Contribution (Regulation) Act 2010 on the basis of the representation dated 21.03.2018 within a stipulated time by this Court.



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For Petitioner : Mr.B.Sararanan
For Respondents : Mr.G.Rajaraman
Central Government Standing Counsel
for R1 to R3
Mr.K.Ragatheesh Kumar
for M/s.Isaac Chambers for R4 & R5

ORDER

The writ petition has been filed seeking a direction to the respondents 1 to 3 to take appropriate action against the respondents 4 and 5 under the provisions of Foreign Contribution (Regulation) Act, 2010, on the basis of the petitioner's representation dated 21.03.2018.

2. In response to the writ petition, a counter affidavit has been filed on behalf of the respondents 1 to 3. In Paragraph No.6 of the counter affidavit, the following have been averred:

"6. In this particular case, the matter is under process as per above laid down procedure. A report on the Petitioner's complaint dated 26-03-2018(received through CBI) and dated 21-03-2018 has been sought from the field agency. After obtaining the inputs from the field agency and on completion of preliminary inquiry on the basis of records available with this Ministry in respect of Associations/NGOs, if any violation of the FCRA provisions is established, action against the Associations namely Young Men's Christian Association (registered under FCR) with Registration No.075940216R) and Young Men's Christian Association Kamal High School and Home for the Deaf (registered under FCRA with Registration No.075940011R) will be initiated as per the provisions of Foreign Contribution (Regulation) Act, 2010."

3. In view of the averments as contained in the counter affidavit and the same are being recorded, no further orders are necessary in this writ petition and the same is, therefore, closed. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //



To:

1. The Secretary to the Government of India,
Ministry of Home Affairs,
Foreigners Division (FCRA Wing),
"First Floor NDCC-II Building",
1, Jai Singh Road, New Delhi-110 001.

2. The Director (FCRA),
Ministry of Home Affairs,
FCRA Wing, 1st Floor,
Major Dhyan Chand National Stadium,
Near Pragati Maidan,
New Delhi-110 001.

3. The Director (Monitoring Unit),
Ministry of Home Affairs,
FCRA Wing, 1st Floor,
Major Dhyan Chand National Stadium,
Near Pragati Maidan, New Delhi-110 001.

+1 CC To MR.G.RAJARAMAN, CGSC SR. NO.84833
+1 CC To MR.B.SARAVANAN, Advocate SR. NO.85034
+1 CC To MR.ISAAC CHAMBERS, Advocate SR. NO.85363

W.P. (MD) No.14164 of 2018
18.09.2018

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TR/RP/SAR-I (24.09.2018) 3P 7C