



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No. 17118 of 2018

WEB COPY

Sathasivam

... Petitioner

Vs.

1. The Government of Tamil Nadu
Rep. by its Principal Secretary
Commercial Taxes and Registration Department
Fort. St.George, Chennai- 600 009.

2. The Inspector General of Registration
No.100, Santhome High Road
Mylapore, Chennai- 600 028

3. The District Registrar
Trichy, Trichy District

4. Mukkulathore Kalvi Kuzhu
(Reg.No.7/1947)
Rep. by its Secretary
Thiruverumbur, Trichy

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the first respondent to consider the petitioner's representation dated 19.04.2018 requesting to grant exemption under Sec.54 of Tamil Nadu Societies Registration Act, 1975 for filing appeal to restore the fourth respondent society, within a time frame fixed by this Hon'ble Court.

For Petitioner : Mr.M.P.Senthil
For Respondents : Mr.M.Murugan
No.1 to 3 Government Advocate

ORDER

Mr.M.Murugan, learned Government Advocate, takes notice for the respondents 1 to 3. Notice to the fourth respondent is dispensed with in view of nature of the order to be passed by this Court.

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 19.04.2018 seeking to grant exemption under Sec.54 of Tamil Nadu Societies Registration Act, 1975 for filing appeal to restore the fourth 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 19.04.2018 on its own merits and take further action in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner as well as to the fourth respondent and any other persons who may be interested in the subject matter.

6. With the above directions, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar(CS-III)

To:

1. The Principal Secretary
Commercial Taxes and Registration Department
Fort. St.George, Chennai- 600 009.
2. The Inspector General of Registration
No.100, Santhome High Road
Mylapore, Chennai- 600 028
3. The District Registrar
Trichy, Trichy District

+1CC to Mr.M.P.Senthil, Advocate, SR.No.76786

+1CC to the Special Government Pleader SR.No. 76567

W.P.(MD) No. 17118 of 2018
02.08.2018

AAV

ES/RP/SAR 3/14.08.2018/2P/6C

<https://hcservices.ecourts.gov.in/hcservices/>