

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2019

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.9189 of 2016

M.S.Devaraj

.. Petitioner

Vs.

1. The Inspector General of Registration,
Registration Department,
Chennai 600 028.
2. The District Registrar,
Salem District 636 001.
3. A.Thiagrajan, President of
Salem Ammapettai Kannada,
Veera Saiva Saineeagar Samuga Sabai.
Reg.No.79/97
4. P.Sivan, then Vice President of
Salem Ammapettai Kannada,
Veera Saiva Saineeagar Samuga Sabai.
Reg.No.79/97
5. K.Kanagaraj, Secretary of
Salem Ammapettai Kannada,
Veera Saiva Saineeagar Samuga Sabai.
Reg.No.79/97

.. Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 and 2 to forthwith take action under Tamil Nadu Societies Registration Act, 1975 and its Rules based on the complaint dated 11.01.2016 given by the petitioner as against the respondents 3 to 5.

For Petitioner	: Mr.K.Raja
For Respondents	: Mr.T.M.Pappiah
1 and 2	Special Government Pleader

For Respondents 3 to 5: Mr.T.S.Vijayaraghavan

O R D E R

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

2. The prayer sought for in this Writ Petition is for issuance of a Writ of Mandamus to direct the respondents 1 and 2 to initiate action against the respondents 3 to 5 under Tamil Nadu Societies Registration Act, 1975 and its Rules, based on the petitioner's complaint dated 11.01.2016

3. According to the learned counsel for the petitioner, the petitioner is a life member in Salem Ammapettai Kannada Veera Saiva Saineegar Samuga Sabai. He has submitted a complaint dated 11.01.2016 to the respondents 1 and 2 with regard to the misappropriation of funds of the Sabai by the respondents 3 to 5 and sought for appropriate action against them under Tamil Nadu Societies Registration Act, 1975 and its Rules for their illegal activities. But, till date, no action was taken by the respondents 1 and 2. Hence, the petitioner has filed this Writ Petition for the relief stated supra.

4. Heard Mr.T.M.Pappiah, learned Special Government Pleader appearing for the respondents 1 and 2 and Mr.T.S.Vijayaraghavan, learned counsel appearing for the respondents 3 to 5.

5. After hearing both the learned counsels for some time, it is agreed that both the parties will appear before the second respondent for an enquiry.

6. Considering the facts and circumstances of the case and the submissions made on either side, this Court, without expressing any opinion on the merits of the complaint, directs the second respondent to conduct an enquiry, based on the petitioner's complaint dated 11.01.2016, after issuing notice to the petitioner, the respondents 3 to 5 and the persons interested in this regard and also to afford an opportunity of personal hearing to the parties and after scrutinizing the relevant documents submitted by the petitioner, pass appropriate orders, on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

7. With the above directions, this writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

srn

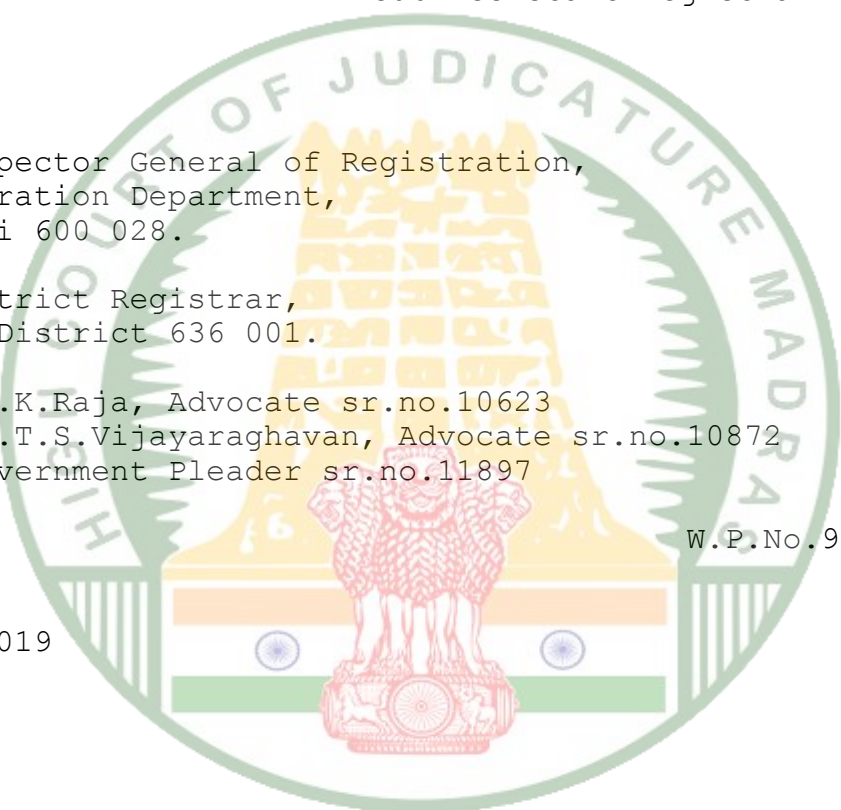
To

1. The Inspector General of Registration,
Registration Department,
Chennai 600 028.
2. The District Registrar,
Salem District 636 001.

+lcc to Mr.K.Raja, Advocate sr.no.10623
+lcc to Mr.T.S.Vijayaraghavan, Advocate sr.no.10872
+lcc to Government Pleader sr.no.11897

W.P.No.9189 of 2016

pvs (co)
nr 25/03/2019

The seal of the High Court of Madras is a circular emblem. It features a central yellow temple gopuram (tower) with a red lion standing in front of it. The lion is facing forward and is flanked by two smaller lions. Below the lion is a red wheel. The entire emblem is set against a green background with a white border. The words "HIGH COURT OF JUDICATURE MADRAS" are written in a circular path around the emblem. At the bottom, the Sanskrit motto "सत्यमेव जयते" (Satyameva Jayate) is written in Devanagari script.

WEB COPY