

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.09.2019

Coram:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Writ Petition No.27065 of 2019

M.V.Ramani

.. Petitioner

/versus/

The District Registrar,
No.182 Bharathi Salai,
Royapettah, Chennai 600 014. .. Respondent

Writ Petition filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus directing the respondent to consider and take appropriate action and decision on the representation submitted by the petitioner dated 21.08.2019 by exercising the powers under the Tamil Nadu Societies Registration Act and the Rules including the provisions of Sections 25, 34, 34-A and 36 of the Act and also the bye-laws in order to protect the Society (Sri Ramsamaj Public Charitable Society) and its funds being exploited under the guise of the camp of His Holiness Kanchi Periyawal from 14.09.2019 to 14.10.2019 within such time as may be stipulated by this Court.

For Petitioner :Mr.C.V.Subramanian

For Respondent :Mr.T.M.Pappiah, Spl.GP.

सत्यमेव जयते
O R D E R

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

2. Heard Mr.C.V.Subramanian, learned counsel appearing for the petitioner and Mr.T.M.Pappiah, learned Special Government Pleader, who takes notice on behalf of the respondent.

3. The prayer in the writ petition is to issue a Writ of Mandamus directing the respondent to consider and take appropriate action and decision on the representation submitted by the petitioner dated 21.08.2019 by exercising the powers under the Tamil Nadu Societies Registration Act and the Rules

including the provisions of Sections 25, 34, 34-A and 36 of the Act and also the bye-laws in order to protect the Society (Sri Ramsamaj Public Charitable Society) and its funds being exploited under the guise of the camp of His Holiness Kanchi Periyawal from 14.09.2019 to 14.10.2019 within such time as may be stipulated by this Court.

4. Perused the affidavit. Alleging some misappropriation and malpractice in the Society, the petitioner has given a representation on 21.08.2019 to consider the alleged misappropriation of fund. Immediately after giving the representation, the petitioner has rushed to this Court seeking Mandamus to direct the respondent to consider his representation.

5. The representation copy annexed along with the typed set of papers has been received by the District Registrar only on 21.08.2019. The said representation is not enclosed with any document whatsoever for the first respondent to consider his representation. Moreso, within a period of two weeks, the petitioner expects or under the impression that the first respondent has not taken any action on his representation. Such presumption cannot be drawn by the Court. This Court is not inclined to entertain the writ petition so pre-maturely, unless there is a ground that the demand made by the petitioner is unreasonable delayed or refused by the first respondent.

6. Hence, this writ petition is dismissed as pre-mature. No costs.

Sd/-
Assistant Registrar(CO)

//True copy//

Sub Assistant Registrar

ari
To:

The District Registrar,
No.182 Bharathi Salai,
Royapettah, Chennai 600 014.

+1cc to Mr.C.V.Subramanian, Advocate SR.No.78785

+1cc to Government Pleader SR.No.79355

W.P.No.27065 of 2019

PA(CO)
GMY(25/10/2019)