



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.03.2019

CORAM:

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**W.P. (MD) No.4960 of 2019

WEB COPY

Thirupparankundram Muslim Pothu Jamath,  
Rep. its Secretary,  
M.Syed Mummasha,  
No.208/210, Muslim Pettai,  
Near Marakadai,  
Periyaratha Veethi,  
Madurai-625 005.

... Petitioner

Vs

- 1.The Inspector General of Registration,  
Registration Department,  
Santhome,  
Chennai-28.
- 2.The Deputy Inspector General of Registration,  
Registration Department,  
Combined Registration Office Complex,  
Y.Othakadai,  
Madurai-23.
- 3.The District Registrar,  
Society Registration,  
Madurai South,  
Palace Road,  
Madurai-1.
- 4.M.Raja Mohamed,  
President,  
Muslim Pothu Jamath,  
Thiruparankundram,  
Madurai-625005.

... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the second respondent to conduct enquiry on the petitioner's representation dated 06.02.2019 and 20.02.2019 and to take appropriate action for cancelling the Society Registration Certificate issued by the third respondent in SL.No.181 of 2018, dated 29.11.2018.

For Petitioner

: Mr.M.Seenisulthan

For R1 to R3

: Mr.M.Murugan

Government Advocate

**ORDER**

Heard the learned counsel appearing for the writ petitioner and the learned Government Advocate appearing for R1 to R3.

2. Considering the nature of the relief granted, notice to the fourth respondent is dispensed with.

3. The petitioner is a registered Society under the provisions of the Tamilnadu Society Registration Act, 1975. The petitioner is known as "Thirupparankundram Muslim Pothu Jamath" which was registered in the year 1996. While so, the fourth respondent is said to have registered another Society in the year 2018 under a similar sounding name. Therefore, the petitioner has given a complaint dated 06.02.2019 and 20.02.2019 before the authorities under the Registration Act. He wants action to be taken thereon.

4. Mr. M. Murugan, learned Government Advocate submits that the third respondent can very well take action in the matter.

5. The learned counsel on either side drew my attention to the Section 9(1)(c) of the Tamilnadu Society Registration Act, 1975 Act which reads as under

*"9.(1) No society shall be registered by a name which, in the opinion of the Registrar, is undesirable.*

*Explanation-For the purpose of this sub-section, the name of a society shall be deemed to be undesirable, if such name is-*

*.....*

*(c) identical with or too nearly resembles, the name by which a society in existence has been previously registered".*

Therefore, the third respondent is directed to act on the petitioner's complaint made in this regard.

6. The third respondent will necessarily put the fourth respondent as well as the other interested persons on notice. The third respondent shall conclude the proceedings and pass orders within a period of four weeks from the date of receipt of a copy of this order. It is made clear that this Court has not pronounced anything on the merits of the matter.

7. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (P & A)

// True Copy //

Sub Assistant Registrar (CS)



To

1.The Inspector General of Registration,  
Registration Department,  
Santhome,  
Chennai-28.

2.The Deputy Inspector General of Registration,  
Registration Department,  
Combined Registration Office Complex,  
Y.Othakadai,  
Madurai-23.

3.The District Registrar,  
Society Registration,  
Madurai South,  
Palace Road,  
Madurai-1.

+1CC TO MR.M.SEENI SULTHAN, Advocate Sr. No. 51300

+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No.51990

W.P.(MD)No.4960 of 2019

04.03.2019

TR (25.03.2019) 3P 6C