

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.01.2020

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No.1771 of 2020
and
W.M.P.No.2046 of 2020

1.R.Ganapathy
2.S.Vijay

.. Petitioners

..Vs..

1.The District Registrar,
Registrar Office, Master Plan Complex,
Thummankurichi,
Namakkal Taluk.

2.Tamil Nadu Poultry Farmer Association,
Represented by its President A.K.P. Chinraj,
Door No.663, Salem Road,
Namakkal Town.

.. Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent herein to take early action in pursuance of the petitioner's representation dated 06.01.2020 sent to the first respondent herein in the light of the misdeeds on the part of the Executive Committee of the second respondent Association.

For Petitioners : Mr.S.Senthil

For Respondents : Mr.T.M.Pappiah Dharmarajan
Special Government Pleader

सत्यमेव जयते
O R D E R

Mr.T.M.Pappiah Dharmarajan, learned Special Government Pleader takes notice for respondents. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2.The petitioners have filed the present Writ Petition for issuance of a Writ of Mandamus, directing the first respondent namely the District Registrar, Registrar Office, Master Plan Complex, Thummankurichi, Namakkal Taluk, to take early action on the petitioners' representation dated 06.01.2020.

3. There are two petitioners. They have sent a representation dated 06.01.2020 to the first respondent herein. The petitioners are members of the second respondent association, which is a Society registered under the Tamil Nadu Societies Registration Act on 02.12.1989 in the office of District Registrar of Societies with Regn.No.74 of 1989. The second petitioner was elected as an Executive member in the elections held on 29.12.2016 for the period of 2017-2020 and it is claimed that the present President, Vice President, Secretary, Joint Secretary and Treasurer are acting independently and have created a supplemental Memorandum of deposit of title deeds on 11.01.2019 in favour of Bank of India, Namakkal Branch and the said deed has been registered as document No.105 of 2019 on the file of the Joint-I Sub Registrar, Namakkal, by mortgaging the properties of the Association, for availing loan to the tune of Rs.2,02,86,000/-. In this connection the petitioner had given a representations to the first respondent several times. Till date his representations have not been considered by the respondents. Hence, the present writ petition.

4. The learned counsel appearing for the petitioner would submit that directions may be issued to the fourth respondent to dispose of the representation dated 06.01.2020 and pass orders.

5. Mr. T.M. Pappiah Dharmarajan, the learned Special Government Pleader submitted that the respondents would examine the representation sent by the petitioners.

6. Without expressing any opinion on the merits of the case and considering the limited request made by the learned counsel for the petitioner, this Court is inclined to issue a direction to the first respondent to consider the representation dated 06.01.2020 submitted by the petitioners and pass appropriate orders on or before 31.03.2020 in accordance with law.

7. With the above directions, the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous petition is closed.

s/d-

Assistant Registrar (CS VIII)

True Copy

Sub-Assistant Registrar

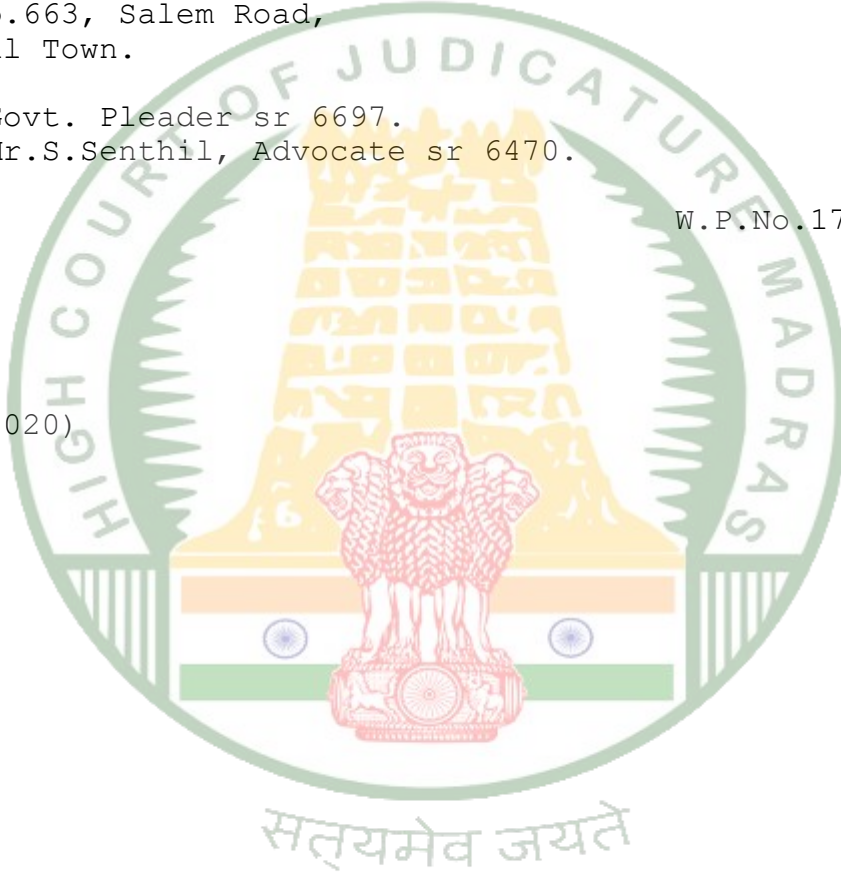
To

1. The District Registrar,
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Namakkal Taluk.
2. Tamil Nadu Poultry Farmer Association,
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+1 CC to Govt. Pleader sr 6697.
+1 CC to Mr.S.Senthil, Advocate sr 6470.

W.P.No.1771 of 2020

JP(CO)
SP(14/02/2020)



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