



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:17.02.2020

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P (MD)No.3071 of 2020

and

W.M.P. (MD) No.2615 of 2020

R.Vivekaanandhan,
General Secretary,
Vasundhara Enclave House and Flat Owners'
Welfare Association (Regn No.75/2010)
E-Block, Ground Floor, Dhanya Sector,
No.84, T.P.K. Road, Andalpapuram,
Madurai 625 003

... Petitioner

Vs.

1) The Inspector General of Registration,
No.100, Santhome High Road,
Chennai 600 028

2) The Deputy Inspector General of Registration,
Madurai Zone,
Rajakambeeram,
Madurai 625 107

3) The District Registrar,
(in the cadre of A.I.G. Of Registration),
Office of the District Registrar,
Madurai South, Palace Road,
Madurai 625 001

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 and 3 herein to consider the application submitted by the petitioner association dated 29.03.2019 for approval of Annual Returns from 2012-2013 to 2017-2018 along with Forms VII in accordance with law within the reasonable period fixed by this Court.

For Petitioner : Mr.K.Muthu Ganesa Pandian

For Respondents : Mr.M.Murugan,
Government Advocate



ORDER

Mr.M.Murugan, learned Government Advocate takes notice on behalf of the respondents.

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

3. The writ petitioner has been filed seeking for a Mandamus to direct the respondents 1 and 3 herein to consider the application submitted by the petitioner Association dated 29.03.2019 in accordance with law, within a stipulated period fixed by this Court.

4. The case of the petitioner is that the Petitioner Association is adjudged as the best Enclave in the Madurai City by the Madurai Corporation for its maintenance and for providing basic amenities to the flat owners/residents. The petitioner Association submitted an application dated 29.03.2019 with enclosures to the first respondent, requesting to condone the delay in filing of annual returns for the period from 2012-2013 and also Form VII. The third respondent being a statutory authority, refused to consider the application of the petitioner Association. Till date, the respondents have not considered the application made by the petitioner and therefore, the petitioner Association has approached this Court by way of filing the present writ petition.

5. In view of the above, without expressing any opinion on the merits of the claim made by the petitioner Association, the third respondent is directed to consider the application made by the petitioner dated 29.03.2019 and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ petition stands disposed of. No costs. Consequently, connected W.M.P.(MD) No.2615 of 2020 is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To:

1) The Inspector General of Registration,
No.100, Santhome High Road,
Chennai 600 028

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



2) The Deputy Inspector General of Registration,
Madurai Zone, Rajakambeeram,
Madurai 625 107

3) The District Registrar,
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+1 CC to M/s.K.MUTHUGANESHAPANDIAN, Advocate (SR-6864[F] dated
18/02/2020)

Order made in
W.P (MD) No. 3071 of 2020

Dated:
17.02.2020

KK/02.03.2020/3P-5C