

 $\frac{1}{4}$



third respondent herein to issue registration certificate to the Thalaiyadiyadikottai Neerina Payanpaduthuvor Sangam, on the basis of the petitioner's application vide No.S01SREGVV202005071347598 within reasonable time as may be fixed by this Court.

W.P.(MD)No.6661 of 2020

Santhiyagu

... Petitioner

Vs.

1. The Inspector General of Registration,
Pattinapackam, Chennai.

2. The District Collector,
Ramanathapuram District.

3. The District Registrar,
Sivagangai,
Sivagangai District.

4. The Joint Registrar No.1,
Sivagangai,
Sivagangai District.

5. The Assistant Engineer,
Public Works Department,
Keel Vaigai Basin Zone,
Water Resources, Paramakudi,
Ramanathapuram District.

6. The District Registrar,
Ramanathapuram,
Ramanathapuram District.
(R-6 is suo motu impleaded
vide order dated 11.06.2020)

... Respondents

Prayer : Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the third respondent herein to issue registration certificate to the Vagavayal Periya Kanmoi Kudimaramathu and Neer Pasana Nala Sangam, on the basis of the petitioner's application vide No.S01SREGVV202005131386904 within reasonable time as may be fixed by this Court.

(in all W.Ps.)

For Petitioner

For R-1

: Mr.S.Ramasamy

: Mr.V.Anand,

Government Advocate.

For R-2 to R-4

in WP's 6211&6279/2020&

R2 to R6 in WP 6661/2020

: Mr.M.Rajarajan,

Government Advocate.



C O M M O N O R D E R

Heard the learned counsel on either side.

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2. These writ petitions have been filed for directing the jurisdictional District Registrar to issue Registration Certificate to the societies formed by the writ petitioners.

3. When the matter was taken up for hearing, the learned Government Advocate pointed out that the societies can be registered only if the petitioners comply with the relevant requirements.

4. It is seen that the writ petitioners herein have not furnished any resolution passed by the majority of ayacutdars and duly endorsed by the Assistant Engineer of the Public Works Department. Since the petitioners have not complied with the relevant formalities, the District Registrar is not in a position to issue the certificate to the petitioners herein.

5. The petitioners' counsel pointed out that there is no such requirement set out in Section 10(1) of the Tamil Nadu Societies Registration Act 1975. I am afraid that the petitioners are clearly missing the point. The societies are sought to be registered under the Tamil Nadu Act 27 of 1975. The society after being registered will have to be given "Kudimaramathu" works by the Public Works Department. That is why, the authority insists on producing the endorsement by the jurisdictional Assistant Engineer of the Public Works Department indicating that the majority of ayacutdars are with the societies formed by the applicants.

6. I am of the view that insisting of production of certificate from the Village Administrative Officer and the endorsement from the Public Works Department authority is in order. Since the petitioners have not complied with these requirements, these writ petitions stand dismissed.

7. I make it clear that the rights of the petitioners are in no way affected. The respective petitioners can very well approach the respective Public Works Department authorities and ask for endorsement after proving to their satisfaction that the majority of the ayacutdars are with them. Thereafter, the petitioners are directed to submit the applications before the District Registrar and the District Registrar will be obliged to register the societies of the respective writ petitioners.



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8. With these observations, these writ petitions stand dismissed. No costs.

Sd/-

Assistant Registrar (RECORDS)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

pmu

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

1. The Inspector General of Registration,
Pattinapackam, Chennai.
2. The District Collector,
Ramanathapuram District.
3. The District Registrar,
Sivagangai, Sivagangai District.
4. The Joint Registrar No.1,
Sivagangai, Sivagangai District.
5. The Assistant Engineer,
Public Works Department,
Keel Vaigai Basin Zone,
Water Resources, Paramakudi,
Ramanathapuram District.
6. The District Registrar,
Ramanathapuram,
Ramanathapuram District.

W.P. (MD) Nos. 6211, 6279 & 6661 of 2020

14.07.2020

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