



WEB COPY

W.P(MD).No.14472 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.10.2020

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THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P(MD).No.14472 of 2020

L.Swaminathan

.. Petitioner

Vs.

1.The Principal Secretary to the Government
of Tamilnadu
Registration Department,
Fort St. George,
Chennai - 600 009.

2.The Inspector General of Registration
100, Santhome High Road,
Chennai - 600 028.

3.The District Registrar,
Court Campus,
Cantonment,
Trichy - 620 001.

4.Tiruchirappalli District Cricket Association
Rep. by its Secretary,
2nd Floor, C/o GK & Sons,
30, Chennai Bye Pass Road,
Mannarpuram, Trichy.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 3 to consider the petitioner's representation dated 15.03.2020 and 22.07.2020 and direct the 3rd respondent to submit the enquiry report in Na.Ka.No.5039/A3/2018, dated 04.02.2019 to the 2nd respondent to pass necessary orders consequent thereon.

For Petitioner : Mr.K.Prabhakar

For Respondents : Mr.K.Sathiya Singh for R1 to R3
Additional Government Pleader



ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents 1 to 3 to consider the petitioner's representation dated 15.03.2020 and 22.07.2020 and direct the 3rd respondent to submit the enquiry report in Na.Ka.No.5039/A3/2018, dated 04.02.2019 to the 2nd respondent to pass necessary orders consequent thereon.

2.Heard Mr.K.Prabhakar, learned counsel for the petitioner. Mr.K.Sathiya Singh, learned Additional Government Pleader accepts notice on behalf of the respondents.

3.By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

4.It is the case of the petitioner that irregularities have been committed by the fourth respondent Association and a complaint was given under the Societies Registration Act and enquiry under Section 36 of the said Act was also conducted by the Registrar. According to the petitioner, the Registrar has also submitted an Enquiry Report on 04.02.2019. But till date, the Enquiry Report of the third respondent / District Registrar has not been placed before the second respondent. In such circumstances, the petitioner has given a representation to the third respondent on 15.03.2020 and 22.07.2020. But according to the petitioner till date, the said representation have not been duly considered.

5.The relief sought for in this writ petition is an innocuous relief. No prejudice will be caused to the representation, if the representations of the petitioner dated 15.03.2020 and 22.07.2020 are considered by the third respondent on merits and in accordance with law. Admittedly, an Enquiry Report has been prepared by the Registrar, pursuant to the enquiry held as per the provisions of Section 36 of the Societies Registration Act. The learned counsel for the petitioner also drew the attention of this Court to the communications sent by the second respondent, wherein, the second respondent has requested the third respondent/District Registrar to place the Enquiry Report with him to enable him to take suitable action accordingly.

6.For the forgoing reasons, this Court directs the third respondent to consider the petitioner's representations, dated 15.03.2020 and 22.07.2020 requesting the third respondent to forward the Enquiry Report prepared by him to the second respondent, who shall pass final orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of



7. With the aforesaid directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-II)

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/ /2020

Sub Assistant Registrar(CS)

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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 Principal Secretary to the Government
of Tamilnadu
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2. The Inspector General of Registration
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SRK(CO)
TR(02.11.2020) 3P 4C