



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.11.2020

CORAM

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P. (MD)No.16292 of 2020

Kremmer Sandegren Foundation,
Represented by its President,
A.Kamaleshwaran (Aged 37 years),
S/o.Arumugam, No.70, Muduppaiah Colony,
4th Street, Veerakeralam,
Coimbatore-641007.

...Petitioner

-Vs-

1.The Inspector General of Registration,
O/o.The Inspector General of Registration,
No.100, Santhome High Road,
Foreshore Estate, Chennai-28.

2.The District Registrar (Societies),
District Registrar Office,
Court Campus, Cantonment,
Tiruchirappalli-1.

3.Abraham Dass

...Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to consider the petitioner's representation dated 01.07.2020 to register the Form No.VII application submitted by the petitioner to the second respondent.

For Petitioner	: Mr.S.M.A.Jinnah
For R1 and R2	: Mr.V.Anand, Government Advocate.

ORDER

This Writ Petition has been filed, seeking a direction to the respondents 1 and 2 to consider the petitioner's representation dated 01.07.2020 to register the Form No.VII application submitted by the petitioner to the second respondent.

2.By consent of both parties, this Writ Petition is taken up for disposal at the stage of admission itself.



3.Mr.V.Anand, learned Government Advocate accepts notice on behalf of the respondents 1 and 2. Since no adverse order is going to be passed against the third respondent, notice to the third respondent is dispensed with.

WEB COPY

4.According to the petitioner, he is the President of the Kremmer Sandegren Foundation. The third respondent is proclaiming himself to be the successor of the said Society and he has no right to alienate or to create any kind of encumbrance over the properties of the said Society. On 20.02.2020, the petitioner has filed Form No.VII before the second respondent. However, the second respondent has refused to register the same on the ground that the third respondent has also filed Form No.VII. In the meantime, the third respondent has forged and manipulated the seal and sign of the second respondent and registered a fraudulent power of attorney deed dated 12.08.2020. Therefore, the petitioner has submitted a detailed representation dated 01.07.2020 to the second respondent. Since no effective efforts have been taken, he has approached this Court seeking aforesaid prayer.

5.This Court is of the considered view that since no prejudice is going to be caused to the third respondent, the representation of the petitioner dated 01.07.2020, shall be heard and disposed of by the second respondent, after affording an opportunity of personal hearing to the petitioner as well as the third respondent and others, if any, within a period of 120 days from the date of receipt of a copy of this order.

6.Accordingly, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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,
O/o.The Inspector General of Registration,
No.100, Santhome High Road,
Foreshore Estate, Chennai-28.

2.The District Registrar (Societies),
District Registrar Office,
Court Campus, Cantonment,
Tiruchirappalli-1.

+1 CC to SPL GP (SR-22408[F] dated 20/11/2020)

W.P. (MD) No.16292 of 2020
19.11.2020

VB (30.11.2020) 3P 4C