



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. (MD)No.16707 of 2020
and W.M.P. (MD) No.13955 of 2020
(Through Video Conference)

Hajee K.K.Ibrahim Ali Higher
Secondary School Society,
Rep. by its Secretary,
K.Mohammed Ibrahimsha Johny,
Pudur. Ilaiyankudi,
Sivagangai District.

... Petitioner

Vs

1) The Inspector General of Registration,
O/o Inspector General of Registration,
No.100, Santhome High Road,
Chennai.

2) The District Registrar,
Registrar of Societies,
District Registrar Office, Sivagangai,
Sivagangai District.

3) The District Educational Officer,
District Educational Office,
Sivagangai.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 2nd respondent to take it on file of the Form VII dated 22.10.2020 submitted by the petitioner's Society.

For Petitioner : Mr.G.Prabhu Rajadurai
For Mr.D.Senthil.

For Respondents: Mr.K.Sathiya Singh,
Additional Government Pleader

O R D E R

Mr.K.Sathiya Singh, learned Additional Government Pleader
accents notice for the respondents. By consent of both sides, this



writ petition is taken up for final disposal at the stage of admission itself.

2. This writ petition has been filed for a Mandamus seeking for a direction to the second respondent to take on file the Form VII dated 22.10.2020 submitted by the petitioner's Society and pass final orders within a time frame to be fixed by this Court.

3. The case of the petitioner is that, he is the Secretary of the petitioner School Society. According to him, the previous set of Management Committee expired on 31.12.2017 and the then Secretary died and after approval of the then General Body of the Society, the petitioner became the Secretary on 26.03.2017 with the approval of the members of the Society. According to the petitioner, he had filed Form-VII before the second respondent on 22.10.2020 to recognise him as the Secretary of the petitioner's Society. It is his case that till date, no final orders have been passed by the second respondent recognizing the petitioner as the Secretary for the petitioner Society. In such circumstances, this writ petition has been filed.

4. Heard Mr.G.Prabhu Rajadurai, learned counsel appearing on behalf of Mr.D.Senthil, learned counsel appearing for the petitioner and Mr.K.Sathiya Singh, learned Additional Government Pleader appearing for the respondents.

5. The relief sought for in this writ petition is an innocuous relief. The petitioner has submitted Form-VII under the Tamil Nadu Society's Registration Act before the second respondent to recognise him as the Secretary for Hajee K.K.Ibrahim Ali High School Society, Pudur - 630 709 (Ilayangudi) Sivagangai District. It is also his case that the members of the Society have passed a Resolution appointing him as the Secretary for the aforementioned Society on 26.03.2017. It is for the second respondent to consider the same and pass final orders on merits and in accordance with law. No prejudice would be caused to the respondents if the petitioner's representation is considered by them on merits and in accordance with law.

6. For the foregoing reasons, this Court directs the second respondent to take on file Form-VII dated 22.10.2020 submitted by the petitioner Society, with regard to the appointment of the petitioner as the Secretary and pass final order on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.



7. With the aforesaid directions, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected W.M.P.(MD) No.13955 of 2020 is closed.

Sd/-

Assistant Registrar (Crl.Side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

sts

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 Inspector General of Registration,
No.100, Santhome High Road,
Chennai.
- 2) The District Registrar,
Registrar of Societies,
District Registrar Office, Sivagangai,
Sivagangai District.
- 3) The District Educational Officer,
District Educational Office,
Sivagangai.

+1 CC to SGP (SR-22928[F] dated 26/11/2020)

Order made in
W.P. (MD) No.16707 of 2020

Dated:
24.11.2020

NA (CO)

NR (26/11/2020) 3P : 5C