



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.12.2020

CORAM

**THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE**

**W.P. (MD).No.19015 of 2020**

Kremmer Sandegren Foundation, Pattukottai,  
Reg. No.5/1957 Rep. By its President,  
Rev.D.Abraham Dass,  
S/o Late. Rev.A.Dharmaraj,  
No.16, St. John Church Complex,  
Rackins Road,  
Thiruchirappalli - 1.

... Petitioner

Vs.

1.The District Registrar of Societies,  
District Registration Office,  
Thiruchirappalli.

2.Ayyavu

3.Kamaleswaran

... Respondents

**PRAYER:** Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, directing the 1<sup>st</sup> respondent to take the form VII in pursuant to the election dated 30.06.2018 filed by the petitioner as the President of Kremmer Sandegren Foundation Reg.No.5/57 on the basis of Petitioner's representation dated 06.11.2020 after due enquiry.

For Petitioner : Mr.S.Judith Emily

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

**ORDER**

(This writ petition is heard through video conference)

This writ petition has been filed seeking for a direction to the first respondent to accept Form VII, pursuant to the election of the petitioner as the President of Kremmer Sandegren Foundation, on 30.06.2018 based on the petitioner's representation dated 06.11.2020, after due enquiry.

2.Heard Mr.S.Judith Emily, learned counsel appearing for the petitioner and Mr.K.Sathiya Singh, learned Additional Government Pleader appearing for the first respondent.

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



4.The petitioner claims that he has been elected as President of Kremmer Sandegren Foundation, a Society registered under the Societies Act. According to him, he assumed charge as President of the aforementioned Society in the year 2018 and he submitted Form VII with the first respondent. However, according to the petitioner, the same has not been accepted by the first respondent till date. It is also the case of the petitioner that the respondents 2 and 3 have registered a fabricated Deed of Declaration of Trust in the year 2016 and the third respondent has also filed Form VII for the same society with the first respondent. It is the case of the petitioner that till date no enquiry has been conducted by the first respondent with regard to the respective claims made by the petitioner as well as the respondents 2 and 3. In such circumstances, this writ petition has been filed.

5.The petitioner has given a representation on 06.11.2020 to the first respondent, requesting him to accept Form VII and to declare him as the President of Kremmer Sandegren Foundation, a Society registered under the Societies Registration Act, after holding property enquiry. No prejudice will be caused to the first respondent, if the representation of the petitioner dated 06.11.2020 is considered by him on merits and in accordance with law, after hearing all the necessary including the respondents No.2 and 3, who have also filed Form VII for the same Society.

7.For the foregoing reasons, this Court directs the first respondent to consider the representation of the petitioner dated 06.11.2020 and pass final orders on merits and in accordance with law, after hearing all the necessary including the respondents No.2 and 3, who have also filed Form VII for the same Society, within a period of twelve weeks from the date of receipt of a copy of this order.

8.With the aforesaid direction, this writ petition is disposed of. No costs.

Sd/-

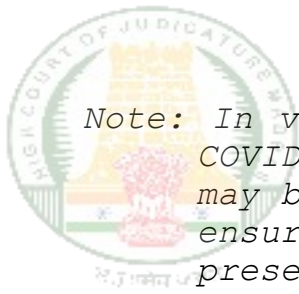
Assistant Registrar (AD-II)

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/ /2021

Sub Assistant Registrar(CS)

TM



*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

The District Registrar of Societies,  
District Registration Office,  
Thiruchirappalli.

+1 CC to Additional Government Pleader SR.No.27021.

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22.12.2020**

**(CK) CO**

**AP(05/01/2021) 3P 3C**