

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

Writ Petition No.2520 of 2021
and
WMP.No2851 of 2021

A.Anandapadmanaban

... Petitioner

vs.

1. The District Registrar (Admin)/
District Registrar of Societies,
District Registrar's Office,
182 - Bharathi Salai,
Chennai Central, Chennai - 14.

2. Tamil Nadu Padmasaliyar Sangam,
Represented by its President,
35/16, V.C. Garden 1st Street,
Mandaivelli,
R.A.Puram Post,
Chennai - 28.

3. S.N.Thangaraju

4. R.Venkatachalapathi

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus directing the first respondent to take appropriate action against the Respondents 2 to 4 by concluding the enquiry pending against them in proceedings No.4540/Ee2/2020 dated 06.07.2020 on the file of the first respondent on the basis of the Petitioner's representation dated 19.01.2021 within a stipulated period fixed by this Court.

For Petitioner : Mr.R.Shankar Ganesh

For Respondents: Mr.T.M.Pappaiah

Special Government Pleader
for R1 & R2

: Mrs.Anbarasi
for M/s.Ahmad Associates
for R3 & R4

ORDER

Heard Mr.R.Shankar Ganesh, learned counsel for the petitioner, Mr.T.M.Pappiah, learned Special Government Pleader accepts notice for the 1st respondent and Mrs.Anbarasi, learned counsel accepts notice for the 2nd, 3rd and 4th respondents.

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

3. This writ petition has been filed for a Mandamus seeking for a direction to the 1st respondent to take appropriate action against the respondents 2 to 4 by concluding the enquiry pending against them in proceedings No.4540/Ee2/2020 dated 06.07.2020 on the file of the 1st respondent on the basis of the Petitioner's representation dated 19.01.2021 within a time frame to be fixed by this Court.

4. It is the case of the petitioner that he has given a representation on 24.03.2020 to the 1st respondent alleging irregularities committed by the respondents 3 & 4 in the Management of second respondent Sangam. Thereafter, the petitioner has sent another reminder to the 1st respondent on 19.01.2021. According to the petitioner, till date, despite commencement of enquiry by the 1st respondent, no final orders have been passed on the petitioner's complaint. In such circumstances, this writ petition has been filed for expeditious disposal of the enquiry proceedings pending on the file of the 1st respondent.

5. The relief sought for in this writ petition is an innocuous one. The petitioner has given representation to the 1st respondent against the 3rd and 4th respondents, who are the office bearers of the 2nd respondent Sangam. According to him, the 3rd and 4th respondents have committed irregularities in the Management of the 2nd respondent Sangam. The petitioner has given a representation to the 1st respondent on 24.03.2020 requesting them to take legal action against the 3rd and 4th respondents for their irregularities. A reminder has also been sent by the petitioner on 19.01.2021 to the first respondent for expeditious disposal of the enquiry proceedings. Admittedly, till date, the enquiry proceedings are not concluded and no final orders have been passed by the 1st respondent on the petitioner's complaint. No prejudice will be caused to the respondents if the 1st respondent passes a final order on the representations of the petitioner's, expeditiously after hearing the petitioner and other necessary parties including the 3rd and 4th respondents.

6. For the foregoing reasons, this Court directs the 1st respondent to consider the petitioner's representations, dated 24.03.2020 and 19.01.2021 requesting the 1st respondent to take legal action against the 3rd and 4th respondents, who are office bearers of the 2nd respondent Sangam for their alleged irregularities in the Management of 2nd respondent Sangam and pass final orders on merits and in accordance with law after hearing the petitioner as well as the 3rd and 4th respondents and other necessary parties, if any, within a period of eight weeks from the date of receipt of a copy of this order.

7. With the aforesaid direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

vsi2

To:

1. The District Registrar (Admin)/
District Registrar of Societies,
District Registrar's Office,
182 - Bharathi Salai,
Chennai Central, Chennai - 14.

2. Tamil Nadu Padmasaliyar Sangam,
Represented by its President,
35/16, V.C. Garden 1st Street,
Mandaivelli,
R.A.Puram Post,
Chennai - 28.

+1cc to M/s.Dictum Law Firm, Advocate Sr.7133
+1cc to the Government Pleader Sr.7503

W.P.No.2520 of 2021

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srg 25/02/2021