

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2021

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.16733 of 2020

&

W.M.P.No.20754 of 2020

E.Chitranand

...

Petitioner

Vs

1. The Inspector General of Registration,
No.100, Santhome High Road, Chennai - 600 028.
- 2, The District Registrar (Societies),
Collector Office Campus, Coimbatore - 641 018.
3. The Election Officer,
Young Men's Christian Association,
No.55-70, Head Post Office Road,
Coimbatore - 641 001.
4. Young Men's Christian Association
(Regd.No.48/1973),
Represented by its General Secretary,
No.55-70 Head Post Office Road,
Coimbatore - 641 001.
5. The National Council of YMCAs of India,
Rep by its National General Secretary,
Bharat Yuvak Bhavan, Jai Singh Road,
New Delhi - 110 001

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking for an issuance of a writ of mandamus directing the second respondent herein to take action against the fourth respondent Society under Section 36 of the Societies Registration Act, 1975 based on the Government Notification in Seku.No.236 dated 31.10.2020, within a time frame.

For Petitioner : M/s.G.Bala and Daisy

For Respondents-1&2 : Mr.T.M.Pappiah,
Special Government Pleader (Regn)

For Respondents-3 and 4 : Served-No appearance

For Respondent-5 : Not ready in notice.

ORDER

This writ petition has been filed for a mandamus seeking for a direction to the second respondent to take action against the fourth respondent-Society under Section 36 of the Societies Registration Act, 1975 based on the Government Notification in Seku.No.236 dated 31.10.2020, within a time frame to be fixed by this Court.

2. Heard M/s.Bala and Daisy, learned counsel appearing for the petitioner and Mr.T.M.Pappiah, learned Special Government Pleader(Registration) appearing for the respondents 1 and 2.

3. By consent of both parties, the 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. He has given representations on 14.08.2019, 02.04.2020 and 07.11.2020 to the respondents to take action against the fourth respondent-Association with regard to the irregularities committed by them. Since no action has been taken, the petitioner has filed this Writ Petition.

5. On instructions, Mr.T.M.Pappiah, learned Special Government Pleader (Registration), appearing on behalf of the respondents 1 and 2 would submit that pursuant to the representations given by the petitioner, enquiry proceedings have been initiated by the second respondent and the last date of enquiry, as per the learned counsel for the petitioner was on 03.12.2020.

6. Since enquiry proceedings have already been commenced on the representations given by the petitioner, this Court is of the considered view that a direction can be issued to the second respondent to dispose of the petitioner's representations within a time frame.

7. Accordingly, this Court directs the second respondent to pass final orders on merits and in accordance with law, after hearing the petitioner as well other necessary parties with regard to the representations given by the petitioner on 14.08.2019, 02.04.2020 and 07.11.2020 about the irregularities committed by the fourth respondent-Association, within a period of 12 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. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

srn
To

1. The Inspector General of Registration,
No.100, Santhome High Road, Chennai - 600 028.
- 2, The District Registrar (Societies),
Collector Office Campus,
Coimbatore - 641 018.
3. The Election Officer,
Young Men's Christian Association,
No.55-70, Head Post Office Road,
Coimbatore - 641 001.
4. The General Secretary,
Young Men's Christian Association
No.55-70 Head Post Office Road,
Coimbatore - 641 001.
5. The National General Secretary,
National Council of YMCAs of India,
Bharat Yuvak Bhavan, Jai Singh Road,
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+1cc to the Government Pleader Sr.755

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srg 03/02/2021