



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2021

CORAM

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P. No. 22651 of 2021

1. Louis Anthony
2. Mary Louis

...Petitioners

Versus

- 1.The Inspector General of Registration,
Registration Department,
No.100, Santhome High Road,
Chennai - 600 028.
- 2.The Deputy Inspector General of Registration,
Registration Department,
Vellore - 632 001.
- 3.The District Registrar (Administration),
Vellore District
Vellore.
- 4.St. John's Educational Society
Rep. by its Secretary
Registration No.9/1992
No.29, Officer's Line
Vellore - 632 001.

...Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Mandamus, directing the Respondent Nos. 1 to 3 to consider the petition dated 23.03.2021 and 22.07.2021 for revival of the Fourth Respondent society on its merits and in accordance with law and pass orders within the time frame.

For Petitioners : Mr. Balan Haridas

For Respondents : Mr. Stalin Abhimanyu (For R1 to R3)
Government Counsel



ORDER

Heard Mr. Balan Haridas, Learned Counsel for Petitioner and Mr. Stalin Abhimanyu, Learned Government Counsel appearing on behalf of the first to third Respondents, and perused the materials placed on record. By consent, this writ petition is taken up for final disposal at the time of admission itself.

2. This writ petition has been filed by the petitioners praying to issue a Writ of Mandamus directing the Respondent Nos. 1 to 3 to consider the petitions dated 23.03.2021 and 22.07.2021 for revival of the Fourth Respondent society.

3. The petitioners would contend that the first petitioner's mother Mrs. Josephine Anthony, his sisters (i) Mrs. Marina Selvaraj (ii) Mrs. Agnus Anthony and (iii) Mrs. Dorothy Jayaseelan have taken up teaching as their profession. They have evinced interest to establish a school with the avowed object of imparting education to the poor and downtrodden and with that object, the fourth respondent/educational society was established on 20.01.1992 in which the sister of the first petitioner Mrs. Marina Selvaraj was appointed as the Principal of the School. The fourth respondent society was also registered vide Registration No. 9 of 1992. Further, the Inspector of Matriculation Schools issued licence to run the school in the name and style of St. John's Matriculation School at Vellore. While so, after the death of the petitioner's sister Mrs. Marina Selvaraj on 20.11.2018, misunderstanding erupted between the other trustees which resulted in the educational authorities cancelling the registration certificate issued to the fourth respondent society for non-filing of statutory returns. The petitioners thereafter attempted to revive the society for which they convened a meeting on 24.11.2019 among all the living members of the society and mutually sorted out the differences. The members of the fourth respondent society have also assured to extend their fullest cooperation for revival of the fourth respondent society. Therefore, the petitioners approached the respondents 1 and 3 with a petition dated 22.03.2021 requesting to renew the registration certificate of the fourth respondent society. The petitioners also expressed their willingness to pay the fine or other dues, if any, as a condition precedent for renewing the registration certificate. On receipt of the representation dated 22.03.2021, the third respondent forwarded it to the second respondent by a communication dated 12.07.2021. The second respondent also called upon the petitioners to submit certain documents, which they submitted through a reply dated 22.07.2021. However, the respondents did not pass further orders, as sought for by the petitioners. The petitioners therefore prayed this Court to issue appropriate direction to



the respondents to consider the representations dated 23.03.2021 and 22.07.2021 on merits within a time to be fixed by this Court.

4. Considering the above facts and circumstance of the case and the nature of relief sought in this writ petition, the third respondent is directed to consider the representations dated 23.03.2021 and 22.07.2021 of the petitioners for revival of the fourth respondent society, in the light of the communication dated 12.07.2021 of the Second Respondent, on merits and in accordance with law, after affording opportunity of personal hearing to the Petitioners as well as any other interested parties. Such exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order.

5. With the above directions, this writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

Maya/rsh

To

1.The Inspector General of Registration,
Registration Department,
No.100, Santhome High Road,
Chennai - 600 028.

2.The Deputy Inspector General of Registration,
Registration Department,
Vellore - 632 001.

3.The District Registrar (Administration),
Vellore District
Vellore.

+1cc to Mr.Balanharidas, Advocate Sr No.54844
+1cc to the Government Pleader Sr No.55047

W.P. No. 22651 of 2021

GP (CO)
PR (24/11/2021)