



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 02.02.2021

CORAM

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD)No.574 of 2021

and

W.M.P. (MD)No.492 of 2021

WEB COPY

A.Nixon Gold Robert Singh

... Petitioner

Vs.

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

2.The Church of South India,
represented by the Moderator,
Chennai - 600 014.

3.The Bishop,
C.S.I.Diocesan Office,
Kanyakumari District.

4.The District Minister,
C.S.I.Home Church, Nagercoil,
Kanyakumar District.

5.The Pastor,
C.S.I. Church,Irulappa puram,Nagercoil,
Kanyakumari District.

...Respondents

PRAYER :- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to direct the first respondent to instruct the respondent No.2 to consider the petitioner's representation, dated 19.12.2020 within a time frame as stipulated by this Court forthwith.

For Petitioner

:Mr.S.Palani Velayutham

For R1

:Mr.S.Sathyasingh

Additional Government Pleader

ORDER

Heard the learned Counsel appearing on either side.

2.The petitioner is a member of the 5th respondent Church. The petitioner has serious grievances regarding the manner, in which the accounts of the said Church are being maintained. The petitioner



has been petitioning the second respondent. Till date, the second respondent has not bestowed their attention on the petitioner's representation. Therefore, this Writ Petition has been filed for directing the first respondent to instruct the second respondent to consider the petition mentioned representation.

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3.I wanted to know under what provisions of law, the first respondent can instruct the second respondent. There is no definite answer forthcoming. The second respondent is a Society registered under the provisions of the Tamil Nadu Societies Registration Act, 1975. Such a body is not a "State Instrumentality" coming within the meaning of Article 12 of the Constitution of India. Therefore, the Writ Petition may not lie against the second respondent.

4.In this view of the matter, leaving open to the petitioner's right to avail any other remedy available to him, this Writ Petition is dismissed. I make it clear that I have not pronounced anything on the merits of the matter. All the contentions of the petitioner are left open. The only issue I have decided is that the Writ Petition is not maintainable and nothing else. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

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

+1 CC to GP (SR-3273[F] dated 04/02/2021)

W.P.(MD)No.574 of 2021

02.02.2021

(MJ)

KV(18.02.2021) 2P 3C