



WEB COPY



W.P. No.19375 of 2011

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 29.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE **N. SATHISH KUMAR**

W.P. No.19375 of 2011 and
M.P. Nos.1 and 2 of 2011

Dr.K.M.Shyamprasad

. . . Petitioner

Vs

- 1.Union of India
Ministry of Home Affairs
Rep by the Secretary, Home Affairs
Jaisalmer House, No.26 Mansingh Road
New Delhi - 110 011
- 2.State of Tamil Nadu
Rep. by the Secretary to the Dept of Registration
Fort St. George, Chennai - 600 009
- 3.Inspector General of Registrations
No.100, Santhome High Road
Chennai - 600 028
- 4.The Registrar of Societies
Central Chennai
Chennai - 600 014
- 5.United Evangelical Lutheran Churches in India
No.95, Purasawalkam High Road, Kilpauk
Chennai - 600 010
Rep. by its Executive Secretary, Augustine Jeyakumar
- 6.United Evangelical Lutheran Church in India
No.95, Purasawalkam High Road, Kilpauk
Chennai - 600 010
Rep. by its Executive Secretary,
Augustine Jeyakumar



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7. Reserve Bank of India
Fort Glacis, Rajaji Salai

Chennai - 600 001

. . . Respondents

(R7 suo motu impleaded as per order Dt.6.9.2011
by NKKJ in W.P. No.19375/2011)

PRAYER : Writ petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus, for a direction to the respondents especially the 4th respondent to initiate appropriate legal action against the 5th respondent to cancel its registration, if any, under Sections 37 and 38 of the Tamil Nadu Societies Registration Act, 1975.

For Petitioners : Mr.K.F.Manavalan

For Respondents : Mr.A.Kumaraguru,
SCGPC for R1
Mr.K.Tippu Sulthan,
Govt. Advocate for R2 to R4
Mr.T.K.Bhaskar for R5 & R6
Mr.C.Mohan
for M/s.King & Patridge for R7

ORDER

This writ petition is for a direction to the respondents, especially the 4th respondent, to initiate appropriate legal action against the 5th respondent to cancel its registration, if any, under Sections 37 and 38 of the Tamil Nadu Societies Registration Act, 1975.



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2. It is now stated by the learned counsel appearing for the petitioner that the petitioner died on 25.03.2017 and no substitution petition was filed, since the relief sought is personal relief. Therefore, the question of substituting the legal heirs does not arise at all. The petitioner is also an expelled member of the society and there is no right to sue arose automatically. In such view of the matter, the writ petition is dismissed as abated. No costs. Consequently, the connected miscellaneous petitions are closed.

29.11.2022

Index : Yes / No
Speaking/non speaking order
Asr

To

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Asr

5.The Government Pleader
High Court, Madras

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