



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.5685 of 2020

And

W.M.P.Nos.6626 of 2020 and 7335 of 2021

Then Mavatta Maanattu Vakuppu
Tamil Viswa Karma Uravin Murai Sangam
Rep. by its Secretary,
A.Lakshmanan

... Petitioner

Vs.

1.The District Registrar (Associations)
Office of District Registrar,
Office of District Collector Complex,
No.102, State Bank Road,
Opp. Railway Police Station,
Gopalapuram,
Coimbatore - 641 018.

2.The District Registrar (Admin)
(The Assistant Registrar Level)
District Registrar Office,
No.102, State Bank Road,
Opp. Railway Police Station,
Gopalapuram,
Coimbatore - 641 018.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the entire records in pursuant to the impugned order passed by the second respondent in Letter No.9207/ Aa2/ 2019 dated 13.01.2020 and quash the same and consequently direct the first respondent to renew the Registration of the petitioner's Society namely, 'Then Mavatta Maanathu Vakuppu Tamil Viswa Karma Uravinar Murai Sangam' bearing registration No.153 of 2007 vide Registration Certificate dated 14.06.2007 based on the representation dated 15.12.2019 made by the petitioner.

For Petitioner : Mr.S.Saravanan

For Respondents : Mr.R.Kumaravel
Additional Government Pleader



O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus calling for the entire records in pursuant to the impugned order passed by the second respondent in Letter No.9207/ Aa2/ 2019 dated 13.01.2020 and to quash the same and to consequently direct the first respondent to renew the registration of the petitioner's Society namely, 'Then Mavatta Maanathu Vakuppu Tamil Viswa Karma Uravinar Murai Sangam' bearing registration No.153 of 2007 vide Registration Certificate dated 14.06.2007 based on the representation dated 15.12.2019 made by the petitioner.

2.The case of the petitioner is that he belongs to Viswa Karma Community and work for the welfare of the said community people. Then Mavatta Maanathu Vakuppu Viswa Karma Uravin Murai Sangam was registered in the year 1983 and the same was established for the purpose of welfare of the particular community people and since there was difference of opinion among the members and due to improper management, the said Sangam became defunct during 2005. Thereafter, for the purpose of promoting the welfare of the community members, a new Sangam namely, Then Mavatta Maanathu Vakuppu Tamil Viswa Karma Uravin Murai Sangam was established and registered on 14.06.2007.

3.The further case of the petitioner is that some of the members of the erstwhile Sangam started to create trouble and one of the member of the erstwhile Sangam filed W.P.No.18353 before this Court and since he could not get an order of interim injunction another member filed W.P.No.28504 of 2014 and in the said writ petition this Court vide order dated 06.11.2013 granted permission to the member of the petitioner Sangam to conduct functions by collecting rent in respect of community Hall, however, the erstwhile Sangam members illegally occupied the community hall and thrown out the petitioner Sangam members.

4.The further case of the petitioner is that due to the frequent legal battle, the member of the petitioner Sangam who was following the renewal work and other external affairs of the society could not file undertaking, accounts and audit reports and minutes books for the period from 2013 to 2019 before the first respondent as per the Act. Hence the petitioner made representation dated 15.12.2019 to the first respondent requesting to renew the Sangam's registration. However, the second respondent passed the impugned order rejecting the petitioner's request. Hence, this writ petition.

5.The learned counsel appearing for the petitioner submitted that the erstwhile Sangam became defunct during the



year 2005 and the same was also published in the Government Gazette, however, without considering the same, the second respondent passed the impugned order rejecting the petitioner's request on the ground that similar request was made by the member of the erstwhile Sangam which is un-sustainable one.

6.The learned Additional Government Pleader submitted that two applications were filed seeking renewal of the Sangam; one by the member of the erstwhile Sangam and one by the member of the petitioner Sangam, namely, Kaliappan and Venkatesan and the same are pending adjudication. In the meantime, the petitioner also filed application seeking renewal of the Sangam. Hence, the impugned order was passed.

7.At this juncture, the learned counsel appearing for the petitioner submitted that liberty may be granted to the petitioner to participate in the adjudication proceedings in respect of the pending proceedings along with Kaliappan and Venkatesan before the second respondent.

8.In view of the above, this Court without expressing any opinion on the merits of the case, directs the second respondent to adjudicate the issue pending in respect of Kaliappan and Venkatesan including the petitioner and after affording opportunity, shall pass appropriate orders with regard to the renewal of the respective Sangams, within a period of twelve weeks from the date of receipt of a copy of this order.

9.The writ petition is accordingly disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CO)

//True copy//

Sub Assistant Registrar

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To

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+1cc to Mr.S.Saravanan, Advocate SR.No.1173

+1cc to Government Pleader SR.No.1997

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And
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and 7335 of 2021

RK(CO)
GMY(17/02/2022)