



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.2852 of 2022

P.Sekar

.. Petitioner

Vs

The District Registrar (Societies),
Office of the Registrar of Societies,
District Collector Office Campus, Karur,
Karur - 639 007.

.. Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to renew the registration of the petitioner's Society namely "Karur Anbu Karangal" from the year 2017 - 2018, 2018 - 2019, 2019 - 2020 and 2020 - 2021, including the Special General Body meeting held, on 18.03.2018, by issuing the receipt for payment of renewal fee by considering the petitioner's representation, dated 05.01.2022, within a stipulated time that may be fixed by this Court.

For Petitioner

: Mr.Henri Tiphagne

For Respondent

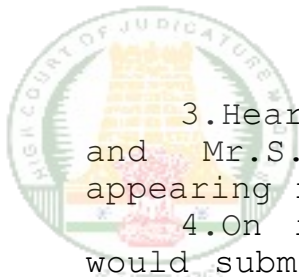
: Mr.S.Shanmugavel

Additional Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondent to renew the registration of the Petitioner's society namely "Karur Anbu Karangal" from the year 2017 - 2018, 2018 - 2019, 2019 - 2020 and 2020 - 2021, including the Special General Body meeting held on 18.03.2018 by issuing the receipt for payment of renewal fee, by considering the petitioner's representation, dated 05.01.2022, within a time frame to be fixed by this Court.

2.It is the case of the petitioner that he is the Secretary of 'Karur Anbu Karangal', a registered Society. He has not renewed the registration of the society from the year 2017 - 2018, 2018 - 2019, 2019 - 2020 and 2020 - 2021. According to the petitioner, his renewal application has not been accepted by the respondent as they have not issued the acknowledgement receipt for the payment of renewal fee. In such circumstances, he has given a representation, on 05.01.2022, seeking for renewal of the aforementioned society for the aforementioned years. Since the representation has not been considered till date, he has filed this writ petition.



3.Heard Mr.Henri Tiphagne, learned counsel for the petitioner and Mr.S.Shanmugavel, learned Additional Government Pleader, appearing for the respondents.

4.On instructions, the learned Additional Government Pleader, would submit that due to the pendency of the suit in O.S.No.201 of 2018 on the file of the District Munsif Court, Karur, filed by Mr.Senthil Selva Murugan, claiming to be the President of the very same society, the respondent has not accepted the renewal application seeking for renewal of the society for the aforementioned years. The said statement is recorded.

5.According to the learned counsel for the petitioner, ever since from the year 2017 onwards periodically representations have been made for renewal of the society. But, only on the ground that the suit is pending, the respondent has not accepted the application from the petitioner. The said statement is also recorded. It is also represented by the learned counsel for the petitioner that the interlocutory application filed by Mr.Senthil Selva Murugan in O.S.No.201 of 2018, seeking interim injunction against the petitioner has also been dismissed by the learned District Munsif, Karur, on 22.07.2019. The said statement is also recorded.

6.No prejudice will be caused to the respondent, if the petitioner's representation, dated 05.01.2022, seeking for renewal of the society for the aforementioned years is considered on merits and in accordance with law, after affording a fair hearing to the petitioner as well as Mr.Senthil Selva Murugan in O.S.No.201 of 2018, pending on the file of the District Munsif Court, Karur, who claims to be the President of the very same society.

7.Accordingly, this Court directs the respondent to consider the petitioner's representation, dated 05.01.2022, seeking for renewal of the petitioner's society namely 'Karur Anbu Karangal' from the year 2017 - 2018, 2018 - 2019, 2019 - 2020 and 2020 - 2021 and pass orders in the said application, after affording a fair hearing to the petitioner and Mr.Senthil Selva Murugan, the plaintiff in O.S.No.201 of 2018 on the file of the District Munsif Court, Karur, within a period of twelve weeks from the date of receipt of a copy of this order.

8.With the aforesaid directions, this writ petition is disposed of. No costs.

Sd/-

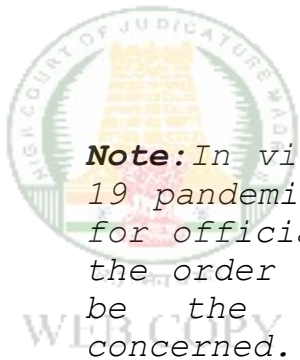
Assistant Registrar (CS II)

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Sub Assistant Registrar(CS)

TM



Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

To

The District Registrar (Societies),
Office of the Registrar of Societies,
District Collector Office Campus, Karur,
Karur - 639 007.

+1 CC to M/s.R.KARUNANIDHI, Advocate (SR-9569[F] dated 02/03/2022)

+1 CC to M/s.SPL GP (SR-9424[F] dated 02/03/2022)

W.P. (MD)No.2852 of 2022

01.03.2022

MGJ(17.03.2022) 3P 4C