



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.03.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.3979 of 2022

The Tuticorin Education Society,
Represented through its Secretary,
488/1, Kamaraj College Building,
Thoothukudi.

... Petitioner

/Vs./

The District Registrar (Societies),
District Registrar Office,
Thoothukudi.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondent to consider representation dated 01.02.2022 made by the petitioner Society and dispose the same within a stipulated time as fixed by this Court.

For Petitioner	: Mr.T.Antony Arul Raj
For Respondent	: Mr.S.Shanmugavel Additional Government Pleader
For intervenor	: Mr.V.Meenakshi Sundaram

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondent to consider the petitioner's representation dated 01.02.2022, made by the petitioner/society requesting for acceptance of Form-7, in respect of the Deputy Secretary's annual report and other resolutions and pass final orders, within a time frame to be fixed by this Court.

2.The case of the petitioner/society is that citing pendency of the Writ Appeal in W.A.(MD)No.1239 of 2020, the respondent is keeping the Form-7, presented by the petitioner pending till date. It is the case of the petitioner that the resolutions passed and filed by the Society with the respondent are also pending before the respondent without any progress. In such circumstances, the petitioner/society has submitted a representation on 01.02.2022 seeking for acceptance of Form-7, which was submitted in the year 2020 itself. Since the said representation has not been considered till date, the petitioner/society has filed this writ petition.



3.Heard Mr.T.Antony Arul Raj, learned Counsel for the writ petitioner and Mr.S.Shanmugavel, learned Additional Government Pleader, who accepts notice on behalf of the respondent.

4.No prejudice will be caused to the respondent, if the petitioner's representation dated 01.02.2022 requesting the respondents to accept Form-7 presented by them in the year 2020 is considered on merits and in accordance with law, after affording a fair hearing to the petitioner and other rival claimants.

5.In fact, Mr.V.Meenakshi Sundaram, learned counsel, who represents Thuthukudi Nadargal Mahamai, represented through the Secretary, P.Chandrasekar, has also intervened by making his submissions stating that his client should also be heard, before the respondent passes final orders, pursuant to the directions given by this Court today.

6.For the submission made, the learned counsel appearing for the petitioner has not raised any objection. The petitioner has pleaded that for a very long time, despite there being no stay order granted by any Court, the respondent has not accepted Form-7 submitted by the petitioner/society from the year 2020 onwards.

7.Therefore, in the interest of all the parties concerned, this Court deems fit to give a direction to the respondent, to pass final orders on the petitioner's representation, within a time frame to be fixed by this Court, after affording a fair hearing to all the necessary parties.

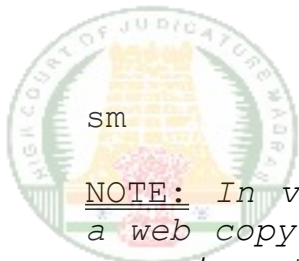
8.For the foregoing reasons, this Court directs the respondent to consider the petitioner's representation dated 01.02.2022 requesting for acceptance of Form-7, and the subsequent resolution passed by the petitioner/society, submitted by the petitioner/society in the year 2020 and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner, Thuthukudi Nadargal Mahamai, represented through the Secretary, P.Chandrasekar and other necessary parties, whom the respondent deems fit to enquire, within a period of three (3) months from the date of receipt of a copy of this order.

9.With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-
Assistant Registrar(Crl Side)

/TRUE COPY/

/ /2022
Sub Assistant Registrar(CS)



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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),
District Registrar Office,
Thoothukudi.

+1 CC to M/s.SPL GP (SR-10342[F] dated 07/03/2022)

+1 CC to M/s.T.ANTONY ARUL RAJ, Advocate (SR-10428[F] dated 07/03/2022)

order made in
W.P. [MD]No.3979 of 2022
Dated:
04.03.2022

MK/18.03.2022/3P/4C