



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.4242 of 2022

and

W.M.P.[MD]No.3625 of 2022

WEB COPY

The Secretary,
Kayalpatanam - Arumuganeri Kalvi Sangam (3/1984),
Arumuganeri - 628 202.
Thoothukudi District.

... Petitioner

Vs.

1.The Inspector General of Registration,
100, Santhome High Road,
Mullima Nagar, Mandavelipakkam,
Raja Annamalai Puram,
Chennai, Tamil Nadu - 600 028.

2.The District Registrar (Administration),
Thoothukudi,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent District Registrar to register forthwith the Form-VII submitted to him by the petitioner dated 08.11.2021 for the triennium 2021-2023.

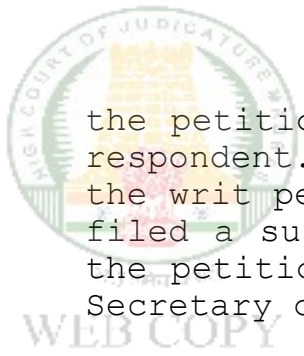
For Petitioner	: Mr.K.Ragatheesh Kumar for M/s.Isaac Chambers
For Respondents	: Mr.S.Shanmugavel Additional Government Pleader

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the second respondent District Registrar to register forthwith the Form-VII submitted to him by the petitioner dated 08.11.2021 for the triennium 2021-2023 and pass orders within a time frame to be fixed by this Court.

2.The case of the petitioner is that pursuant to a General Body Meeting held by the petitioner Society, office bearers were duly elected and Form-VII was presented for registration with the second respondent on 08.11.2021. However, till date, Form VII submitted by

<https://hosevpcourtsgov.in/heservices>



the petitioner has not been accepted for registration by the second respondent. It is also stated in the affidavit filed in support of the writ petition that one of the members of the Society has earlier filed a suit and the same is pending. Since Form-VII presented by the petitioner on 08.11.2021 has not been registered till date, the Secretary of the Society has filed this writ petition.

3.Heard Mr.K.Ragatheesh Kumar, for M/s.Isaac Chambers learned Counsel for the writ petitioner and Mr.S.Shanmugavel, learned Additional Government Pleader who accepts notice on behalf of the respondents.

4.Apart from the pendency of the civil suit disclosed by the petitioner, learned Additional Government Pleader appearing for the respondents would point out that there is also a writ petition pending on the file of this Court in W.P.[MD]No.10059 of 2012. The said statement is recorded.

5.For the submission made by the learned Additional Government Pleader for the respondents, learned Counsel for the petitioner would submit that subsequent to the filing of the said writ petition, elections were conducted periodically for the subject Society and office bearers were duly elected and Form VII was also presented earlier before the Registration Department and therefore, the pendency of W.P.[MD]No.10059 of 2012 has no bearing on the facts and circumstances of the instant case.

6.No prejudice would be caused to the second respondent if the second respondent before registering the Form VII presented for registration on 08.11.2021 enquires all the necessary parties whom the second respondent deems fit to enquire.

7.Accordingly, this Court directs the second respondent to consider registering Form VII presented by the petitioner for registration on 08.11.2021 after hearing all the necessary parties whom the second respondent deems fit to enquire including the petitioner and pass final orders within a period of eight [8] weeks from the date of receipt of a copy of this order.

8.With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



MR

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

1.The Inspector General of Registration,
100, Santhome High Road,
Mullima Nagar, Mandavelipakkam,
Raja Annamalai Puram,
Chennai, Tamil Nadu - 600 028.

2.The District Registrar (Administration),
Thoothukudi,
Thoothukudi District.

+1 CC to M/s.ISAAC CHAMBERS, Advocate (SR-11459[F] dated 11/03/2022)

+1 CC to M/s.SPL GP (SR-11509[F] dated 11/03/2022)

ORDER MADE IN
W.P.[MD]No.4242 of 2022
10.03.2022

_SS/22.03.2022 : 3P/5C