



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.04.2022**

CORAM:

THE HONOURABLE **MR. JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.7730 of 2022

WEB COPY

A.Raman

... Petitioner

/Vs./

- 1.The Inspector General Of Registration,
100, Santhome High Road,
Mandavelipakkam,
Raja Annamalai Puram, Chennai - 600 028.
- 2.The District Registrar (Society Registration),
Registration Department,
1st Floor, Mahal Building,
Palace Road, Madurai - 625 001.
- 3.Priramali Kallar Samuga Sevayil Presidency Service Club,
Rep. By M.P.Lakshmanan,
No.74, Sakkarai Commercial Complex,
Ground Floor, Theni Road,
Madurai.
- 4.Priramali Kallar Munnetra Nala Sangam, (Presidency Service Club)
Rep. By Its President, M.Ramachandran,
No.74, Sakkarai Commercial Complex,
Second Floor, P.P.Chavadi,
Madurai 625 016.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd respondent to consider petitioner's representation dated 13/01/2019 which was given to initiate the action for liquidation of the society namely Piramalai Kallar Samuga Sevaiyil Presidency Service Club by approving the induction of members by the 4th respondent, within a stipulated period to fixed by this Court.

For Petitioner : Mr.M.Thirunavukkarasu

For R1 & R2 : Mr.S.Shanmugavel
Additional Government Pleader

For R4 : Mr.M.O.Devan Kumar



ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the second respondent to consider the petitioner's representation dated 13/01/2019 submitted under the provisions of Section 44 of the Tamil Nadu Societies Registration Act, 1975, (hereinafter referred to as "the Act" in short) requesting the second respondent to initiate the action for liquidation of the third respondent society by approving the induction of members from the third respondent society into the 4th respondent and pass final orders within a time frame to be fixed by this Court.

2.The contention of the petitioner is that for the past several years, the third respondent society, which is registered under the Act, has not submitted regular returns as per the provisions of the Act. In such circumstances, the petitioner, who is the member of the fourth respondent society has submitted a representation on 13.01.2019 to the official respondents as per the provisions of Section 44 of the Act, to declare the third respondent society as a defunct society.

3.It is also the contention of the petitioner that majority of the members of the third respondent society have become the members of the fourth respondent society and a resolution has also been passed to that effect. It is further contended by the petitioner that some of the members of the third respondent society are now causing problems to the fourth respondent for its smooth function and its administration.

4.The learned Additional Government Pleader appearing for the official respondents would submit that the petitioner's representation has also been taken on record and proceedings have been initiated. The said statement is recorded.

5.No prejudice would be caused to the official respondents, if the petitioner's representation submitted under Section 44 of the Act, is considered on merits and in accordance with law, after affording a fair hearing to the petitioner, the third and fourth respondents.

6.For the foregoing reasons, this Court directs the second respondent to pass final orders on the petitioner's representation dated 13.01.2019 seeking for declaring the third respondent as a defunct society, as per the provisions of Section 44 of the Act, after affording a fair hearing to the petitioner, the third and fourth respondents, within a period of three (3) months from the date of receipt of a copy of this order.



7. With the aforesaid direction, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

WEB COPY

/ /2022

Sub Assistant Registrar (CS)

sm

To

1. The Inspector General Of Registration,
100, Santhome High Road,
Mandavelipakkam,
Raja Annamalai Puram, Chennai - 600 028.

2. The District Registrar (Society Registration),
Registration Department,
1st Floor, Mahal Building,
Palace Road, Madurai - 625 001.

+1 CC to M/s.M. THIRUNAVUKKARASU, Advocate (SR-20406[F] dated 22/04/2022)

+1 CC to M/s.SPL.GP. (SR-21174[F] dated 26/04/2022)

W.P. [MD]No.7730 of 2022

22.04.2022

RD(17.05.2022) 3P 5C