



WA No.844 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA , CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKEVALU

WA No.844 of 2023

M/s.South Indian Senguntha Mahajana Sangam,  
rep. by its Secretary,  
No.58, Armenian Street,  
Chennai 600001

... Appellant

Vs

1.N.Chidambaranathan

2.The Inspector General of Registration,  
having office at Santhome High Road,  
Chennai 28.

3.The Registrar of Societies cum District Registrar,  
O/o North Chennai District  
Chennai

4.K.P.K.Selvaraj

... Respondents

Prayer: Writ appeal filed under Clause 15 of the Letters Patent to set aside the order dated 13.10.2022 in WP No.25811 of 2022.



WA No.844 of 2023

For the Appellant :: Mr.T.C.Gopalakrishnan  
For the Respondents :: Mr.K.Karthick Jeganath  
Government Advocate,  
for respondents 2 and 3  
  
Mrs.Dakshayani Reddy,  
Senior Counsel,  
for Mr.A.Manoj Kumar  
for respondent No.1

### **JUDGMENT**

(Made by the Hon'ble Chief Justice)

A complaint was filed by the present respondent No.1 to the respondent authority against the appellant society. The complaint was not being processed expeditiously. As such, the present respondent No.1 filed a writ petition before the learned Single Judge of this court bearing Nos.25811 and 25872 of 2022 for early disposal of the said complaint. Learned Government Advocate made a statement that the complaint given by the present respondent No.1 was under consideration before the concerned authorities and the Registrar would take some reasonable time and decide the complaint on merits and in accordance with law.

2. The contention of the learned counsel for the appellant is that under Section 36(1) of the Tamil Nadu Societies Registration Act, the



WA No.844 of 2023

Registrar cannot invoke his powers on the basis of a complaint made by one or two members; but the same has to be done on a complaint of not less than 1/3 members of that registered society or on an application of the majority of the members of the committee. In view of that, no such direction could have been given. Consequences of action under Section 36 of the Registration Act are fatal as it can entail cancellation of registration.

3. The appellant herein has not challenged the proceedings taken up by the Registrar. As the proceedings were not completed, the present respondent No.1 had filed the Writ Petition. The court had only directed the Registrar to consider the complaint and take a decision on its own merits and in accordance with law, within a period of three months. The appellant can raise all the defences available to it. It can raise all the possible defences to convince the Registrar about no illegality committed by them.

4. Learned Single Judge has not committed any error or illegality while passing the impugned order.



WA No.844 of 2023

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5. The writ appeal, as such, is disposed of. There will be no order as to costs. Consequently, CMP Nos.8137 and 10381 of 2023 are closed.

**(S.V.G., CJ.)**

**(P.D.A., J.)**

**21.06.2023**

Index : Yes/No  
Neutral Citation : Yes/No  
tar



WA No.844 of 2023

To

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WA No.844 of 2023

THE HON'BLE CHIEF JUSTICE  
AND  
P.D.AUDIKESAVALU, J.

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WA No.844 of 2023

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