



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2023

CORAM

THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.17785 of 2022

V.Vasanthakumar

.. Petitioner

Vs.

1.The Inspector – General of Registration,
Santhome High Road,
Chennai – 600 028.

2.The District Registrar (Admn.)
Chennai – South, Guindy,
Chennai – 600 032.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records on the file of the 1st respondent bearing proceedings in No.53152/11/2019 dated 19.05.2022 in confirming the order of the 2nd respondent in his proceedings Bearing No.TPSRG/2506184/E2/2019 dated 19.12.2019 and quash the same as unlawful and against the statue and consequentially direct the 2nd respondent to register the society in the name of 'PURATCHI TAMILAN SANGAN' pursuant to the petitioners application dated 16.12.2019.



For Petitioner .. Mr.P.Vasanth
For Respondents .. Mr.K.H.Ravikumar,
Government Advocate

ORDER

This writ petition has been filed in the nature of Certiorarified Mandamus seeking interference with an order of the 1st respondent, the Inspector-General of Registration, Chennai, who had confirmed the earlier order of the 2nd respondent, the District Registrar (Admn), Chennai South, Guindy. The order of the 2nd respondent was passed on 19.12.2019 and the order of the Appellate Authority was passed on 19.05.2022.

2.The writ petition has been filed in the individual name of the petitioner herein. He claimed that he had formed a society along with his friends and named the society 'Puratchi Tamilan Sangam'. He stated that the object of the society is to impart education. If that object alone is the focus among the petitioner and his friends, then they may not insist that a particular name should be given to the society.



3.They have filed an application for registration of the society under the aforementioned name. The 2nd respondent had rejected the same placing reliance on Section 9(1)(c) of the Tamil Nadu Societies Registration Act, which implies that the name is similar to the name of an existing society. The petitioner filed an appeal. The appellate authority / 1st respondent rejected the appeal, holding that the usage of the word 'Puratchi' (Revolution) is objectionable and therefore placed reliance on Section 9 (1)(b) of the very same act.

4.The learned counsel for the petitioner assails both the orders. He states that two separate authorities have invoked two different provisions to reject the name of the petitioner society.

5.A certiorari will not lie as against the decision taken. It is a procedure, which can be questioned by the petitioner herein. Insofar as the order in original is concerned, namely, the order of the 2nd respondent, it is seen that he had come to the conclusion that the name is similar to the existing society. The petitioner could have questioned that particular aspect, but had filed an appeal before the 1st respondent. An option was given to the



petitioner that he can remove the word 'Puratchi' and can use any other name. The petitioner, however, wants to retain the name 'Puratchi'.

6. That may not be in line with the object to impart education. If the petitioner wants to impart education, let him first concentrate on that particular aspect and if he wants to form a society, form the society in consonance with the object of the society. The respondents have their reasons and this Court cannot sit as a further appellate authority over the said two orders. The impugned orders are both confirmed. The petitioner is always given an option to change the name and present the same for registration and I am confident that both the authorities would examine the same.

7. With the above observations, this writ petition stands dismissed. No costs.

14.02.2023

Index: Yes/No
Internet: Yes/No
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6

C.V.KARTHIKEYAN,J.

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