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**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

Dated: 25.01.2023

CORAM

**THE HONOURABLE DR. JUSTICE ANITA SUMANTH**

**W.P.Nos.6688 of 2016, 23500 to 23502 of 2007, 5437, 5438 of 2008 and 15571 of 2016**  
**WMP Nos.13538, 23489, 25920, 5924, 20642, 20641, 20808, 13539 and 20639 of 2016**

**WP.No.6688 of 2016**

1. Vanniya Kula Kshatriya Maga Sangam  
Chennai  
rep. by its President U.Balaraman,  
No.577, Thiruvottiyur High Road,  
Chennai - 600 021.
2. The Secretary,  
PTVS Primary School,  
Thirukazhukundram.
3. The Secretary  
PTVS Primary School,  
Thirukazhukundram - 603109
4. The Secretary  
PTVS Primary School,  
Kancheepuram
5. The Secretary  
PTVS High School,  
Kancheepuram.



6. The Secretary  
C.G BVS Middle School,  
Menmeli - 603 002.

7. The Secretary  
PTNVKS Middle School,  
Madurantakam.

... Petitioners

Vs

1. The State of Tamil Nadu,  
rep. by its Secretary to Government,  
School Education Department,  
Fort St. George, Secretariat,  
Chennai - 600 009.

2. The Director of School Education,  
College Road, Chennai - 600 006.

3. The Joint Director of Secondary School  
Education, Directorate of School Education,  
College Road, Chennai - 600 006.

4. The District Educational Officer,  
Chengalpet, Kancheepuram District.

5. The Chief Educational Officer,  
O/o the Chief Educational Officer,  
Kancheepuram District.

6. Tmt.P.Usha

7. Thiru.Pon Ramachandran

... 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 of the 5th respondent in Na.Ka.No.9889/A5/15, dated 22.12.2015 and quash the same and consequently direct the respondents to approve the educational agency headed by the 1st petitioner as requested in the 1st petitioner's representation dated 01.06.2015.

For Petitioners (in all W.Ps) : Mr.Richardson Wilson

For R1 to R5 in W.P.Nos.6688 & 15571 of 2016

For R1 to R7 in W.P.Nos.23500 to 23502 of 2007  
& 5438 of 2008

For R1 & R2 in W.P.No.5437 of 2008

: Mr.B.Vijay  
Additional Government Pleader

No appearance for R6 & R7 in W.P.No.6688 of 2016 and  
R7 in W.P.No.15571 of 2016

### **COMMON ORDER**

The petitioner in these Writ Petitions is the Vanniya Kula Kshatriya Maha Sangam, Chennai (in short 'Sangam'), represented by its President U.Balaraman. The Sangam is a society that is registered under the provisions of the Indian Societies Registration Act, 1860.

2. W.P.No.6688 of 2016 has been filed challenging an order passed by the 5th respondent, who is the Chief Educational Officer, Kancheepuram District, who



recognises the 7th respondent, one Pon.Ramachandran as the Educational Agency in respect of the educational institutions run by the Sangam. A consequential direction is sought to the respondents to approve the educational agency, headed by the first petitioner as the appropriate and proper agency to manage the institutions.

3. Pending Writ Petition, R7 has passed away. Hence, this Writ Petition may be decided recording the demise of R7, as a consequence of which, order dated 22.12.2015 has necessarily to go. Accordingly, W.P.No.6688 of 2016 is allowed. No costs. Connected Miscellaneous Petitions are closed. The question of appointment of an educational agency for the educational institutions managed by the Sangam remains, and I address the same in the paragraphs to follows.

4. It is a fact that the petitioner Sangam has been non-compliant of various stipulations under applicable Statutes, being the Tamil Nadu Societies Registration Act, 1975 as well as other Statutes governing the management of the educational institutions. Orders of direct payment thus came to be passed by the District Educational Officer, arrayed as respondent in the Writ Petitions, with effect from various dates, commencing from 2015.

5. This Court by way of interim orders had stayed the orders of direct payment. Despite such orders, the respondents have been continuing to effect direct payments to



all members of the faculty, and the petitioner acquiesces with this situation.

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6. Today and seeing as it is the respondents who have been remitting payments for the management of the educational institutions till date, this Court believes that it is in the interests of the educational institutions and the faculty to continue with such payments, till such time the directions issued at paragraph No.10 infra, are complied with by the parties.

7. The petitioners, as well as the opposing factions within the Sangam, had initially filed applications in Form VII of the Tamil Nadu Societies Registration Act seeking condonation of delay in effecting statutory compliances. The applications in Form VII are stated to have been returned/rejected by the respondents owing to the non-compliance of statutory requirements such as filing annual returns, among others.

8. The petitioners have thereafter made a representation dated 28.12.2022 before the District Registrar, North Madras, through the Hon'ble Chief Minister's Cell, requesting that delay on various counts be condoned and suggesting a proposal to ensure continued management of the educational institutions, to be headed by the President U.Balaraman. This representation was forwarded to the attention of by the District Registrar, who conducted an enquiry and filed the enquiry report with the Inspector General of Registration for necessary orders.



9. Both Mr. Richardson Wilson, learned counsel for the petitioners and Mr. B. Vijay, learned Additional Government Pleader for the officials of the State Government would submit, upon instructions, that this is the present status of the matter.

10. In the considered view of the Court, the internal affairs of the Sangam must be sorted out, regularised, in accordance with law, and decided at the very earliest. This assumes importance to decide the leadership of the Sangam and consequently the educational agency for management of the educational institutions. Hence, and seeing as the matter is now before the Inspector General of Registration, the following directions are issued:

- i) A copy of the enquiry report of the District Registrar dated 20.01.2023 shall be supplied to Mr. U. Balaraman, E. Gopalakrishnan, L. Radhakrishnan and K. Chellappa, forthwith. These parties are identified and named as being those persons/factions who had appeared before the Joint Director of Secondary School Education/R3 pursuant to an order of this Court dated 15.12.2022.
- ii) The parties will appear before the Inspector General of Registration on 01.02.2023 at 10.30 a.m. along with any materials/evidence in writing in support of their stand as well as response/reply to the report of Deputy Registrar dated



20.01.23, without expecting any further notice in this regard.

iii) The parties shall be heard and orders passed by the Inspector General of Registration within a period of four (4) weeks from 01.02.2023. Consequent action for appointment of educational agency for the institutions be taken within two (2) weeks thereafter.

11. Since the Inspector General of Registration is not a party to the Writ Petitions, Mr.B.Vijay, learned Additional Government Pleader undertakes to convey this order to the Inspector General of Registration for necessary compliance.

12. In light of the above, W.P.Nos.23500 to 23502 of 2007, 5437 and 5438 of 2008 and 15571 of 2016 are dismissed. No costs. Connected Miscellaneous Petitions are also dismissed.

25.01.2023

Index : Yes / No

Speaking/non-speaking Order

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**Note: Registry is directed to issue this order on or before 27.01.2023.**

To

1.The State of Tamil Nadu,  
rep. by its Secretary to Government,  
School Education Department,  
Fort St. George, Secretariat,  
Chennai - 600 009.



**Dr.ANITA SUMANTH,J.**

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2. The Director of School Education,  
College Road, Chennai - 600 006.
3. The Joint Director of Secondary School  
Education, Directorate of School Education,  
College Road, Chennai - 600 006.
4. The District Educational Officer,  
Chengalpet, Kancheepuram District.
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