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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 30.11.2023

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.33695 of 2023
and WMP No.33553 of 2023

1. V.Sampath
2. S.Inbamoorthy
3. S.Senthilkumar
4. R.Ravi

... Petitioners

Vs

1. State of Tamil Nadu,
represented by its Secretary to Government,
Registration Department,
Fort St. George, Chennai – 600 009.
2. The Inspector General of Registration,
Registration Department,
Santhome, Chennai – 600 028.
3. The District Registrar (Administration),
North Chennai (Registration District),
1st Floor, Kuralazham. Chennai – 600 106.
4. South Indian Sengundha Mahajana Sangam,
represented by its President and General Secretary
No.58, Armenian Street, Chennai – 600 001.



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5. K.P.K.Selvaraj

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... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the official respondents 1 to 3 herein to act upon the representations of the petitioners dated 14.03.2023 and 15.03.2023 and accordingly direct the appointment of an officer of the respondent department to conduct the election of the 4th respondent society as per provision of Section 7 of the Society Registration Act 1975 read with Rule 17 of the Tamil Nadu Society Registration Act 1975 within a limited time.

For Petitioner : Ms.Dakshayani Reddy
Senior Counsel
for Mr.P.Rajavel

For Respondent : Mr.K.M.D.Muhilan
Additional Government Pleader

ORDER

WMP No.33553 of 2023 filed seeking permission to file a single Writ Petition is ordered.

2. Mr.K.M.D.Muhilan, learned Additional Government Pleader accepts notice for the official respondents. No notice is thought necessary to private respondents/R4 and R5, since their interests are duly taken care of and protected by virtue of this order.



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3. The petitioners pray for a mandamus directing the official respondents, i.e, Secretary to Government, Registration Department/R1, Inspector General of Registration/R2 and the District Registrar (Administration)/R3 to act on the representations of the petitioners dated 14.03.2023 and 15.03.2023 and direct appointment of an officer of the Registration Department to conduct election of the South Indian Sengundha Mahajana Sangam (in short 'Sangam')/R4 as per the applicable provisions under the Tamil Nadu Societies Registration Act, 1975 read with applicable Rules under the Tamil Nadu Societies Registration Rules, 1978.

4. Mr.Muhilan states that there is no acknowledgement of receipt for the representations of the petitioners and only proof of dispatch has been filed. Hence, he is unable to confirm at the moment as to whether the representations have been received by the official respondents.

5. Faced with this position, learned senior counsel appearing for the learned counsel on record for the petitioner would convey that it would suffice that liberty is granted to the petitioners to file a representation afresh and that may be directed to be disposed expeditiously.

6. Hence, the petitioners are at liberty to make representations before the official respondents within a period of two (2) weeks from today. Upon receipt of such representation, the official respondents shall issue notice to the



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petitioners as well as to R4 and R5, hear them and pass orders on the representation within a period of six (6) weeks from date of receipt of such representation.

7. This Writ Petition is disposed in the aforesaid terms. No costs.

30.11.2023

Index : Yes / No
Speaking order
Neutral citations: Yes
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To

1. State of Tamil Nadu,
represented by its Secretary to Government,
Registration Department,
Fort St. George, Chennai – 600 009.
2. The Inspector General of Registration,
Registration Department,
Santhome, Chennai – 600 028.
3. The District Registrar (Administration),
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