



W.P.(MD) No.15077 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 05.10.2023

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD) No.15077 of 2020

K.Ramakrishnan

... Petitioner

Vs

1. The Inspector General of Registration (For Societies),
No.100 Santhome High Road, Chennai-28.
Tamil Nadu, India.
2. The District Registrar of Societies,
Madurai North, Integrated Complex of Registration Department,
TNAU Nagar, Rajakampeeram, Y.Othakadai,
Madurai-107.
3. The District Registrar of Societies,
Madurai South No.171 Palace Road, Madurai-001.
4. Tamizhnadu Brahim Association (Thambraas),
through its President N.Narayanan
Flat No.6 First Floor, Vishwakamal,
245 New 62 Rk Mutt Road, Mylapore, Chennai.
5. N.Narayanan
6. N.Ganapathi Narasimham

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 to 3



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to take appropriate actions at their respective levels against the above said Thamizhanadu Brahmin Association (THAMBRAAS) Tamil Nadu Piramanar sangam established on 16.11.1980 under Section 46 of the Tamil Nadu Societies Registration Act, 1975 for the non-registration of the said Association.

For Petitioner : Mr.Ramsundar Vijayaraj
For M/s.Veera Associates
For Respondents : Ms.D.Farzana Goushia
Special Government Pleader

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the respondents to initiate action against the 4th respondent on the ground that the fourth respondent is proceeding to run a society with large number of members and by collecting amounts, even without registering the society under the Tamil Nadu Societies Registration Act, 1975 (hereinafter referred to as 'the Act').

2. Heard the learned counsel for the petitioner, the learned Special Government Pleader for respondents 1 to 3.

3.The learned Special Government Pleader, on instructions received from the third respondent, submitted that the 4th respondent has



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not registered under the Act within the jurisdiction of the third respondent.

4.The specific case of the petitioner is that the 4th respondent claims to have been established in the year 1980 and there are large members belonging to the 4th respondent and the 4th respondent has been functioning as an association without registering under the Act. In view of the same, the petitioner made a representation/complaint to the respondents 1 to 3 on 10.10.2020. Since the same was not considered, the present writ petition has been filed.

5.The third respondent in this case cannot take any action, since action can be initiated only if any registration of the society has taken place within the jurisdiction of the third respondent. Admittedly, the 4th respondent is having their activity throughout Tamilnadu. Therefore, the third respondent cannot initiate any action against the 4th respondent. If at all the petitioner is aggrieved by the non registration under the Act by the fourth respondent, which is compulsorily registrable association under the Tamil Nadu Societies Registration Act and there is



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a violation of the same, the representation shall be made to the first respondent and the same shall be considered by the first respondent, after issuing notice to all the interested parties and by affording them an opportunity and thereafter take a decision on merits and in accordance with law.

The writ petition is disposed of in the above terms. No costs.

05.10.2023

Internet : Yes

RR

To

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Tamil Nadu, India.
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N.ANAND VENKATESH, J.

RR

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