



W.P(MD)No.18995 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.12.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.18995 of 2022

Paramakudi Vaniya Uravin Muraiyarkalin Pothu Sabai,
Rep. by its President,
8/191, Kanagi Street,
Paramakudi,
Ramanathapuram District.

... Petitioner

Vs.

- 1.The District Registrar (Administration),
Thirupathur Road,
Sivagangai District.
- 2.The Chief Educational Officer,
Ramanathapuram Educational District,
Ramanathapuram.
- 3.The District Educational Officer,
Paramakudi,
Ramanathapuram District.
- 4.The Secretary to Government,
Commercial Tax and Registration Department,
Government of Tamil Nadu,
Chennai.
(R4 is suo motu impleaded by this Court
vide order dated 15.12.2023)

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondent to take on file the Form VII filed by the Petitioner society in respect of the lected office



W.P(MD)No.18995 of 2022

bearers of the petitioner society for the period between 2022 and 2025, within a time that may be stipulated by this Court.

For Petitioner : Mr.M.Mahaboob Athiff

For Respondents : Mr.S.Ra.Ramachandran
Additional Government Pleader

ORDER

Heard both sides.

2. The petitioner is a society registered under the provisions of the Tamil Nadu Societies Registration Act, 1975. The prayer in the writ petition is for taking Form -VII on file filed by the society.

3. When the matter was taken up for hearing, the learned Additional Government Pleader submitted that the returns have not been filed for several years and that the proposals have been sent to the Government for condoning the delay. It is seen that the first respondent has forwarded the papers to the IG of Registration on 05.10.2023. IG of Registration is directed to forward the same to the Secretary to Government, Commercial Tax and Registration Department, Chennai immediately and without any delay. The Secretary to Government, Commercial Tax and Registration Department will issue notice to the petitioner and if there is no rival claim, shall condone the delay in filing the returns. I am passing this order because if the delay is not condoned,



W.P(MD)No.18995 of 2022

consequences can be quite negative for the society and no purpose will be served by not condoning the delay. After the Government condones the delay, the first respondent shall take up Form VII filed by the petitioner for consideration. If there is any genuine rival claim, Form VII can be returned and the parties can be directed to go before the jurisdictional civil Court for relief. If there is no genuine rival claim, Form VII has to be necessarily taken on file by the first respondent. Summarily, enquiry can very well be undertaken by the first respondent in this regard. The entire exercise shall be concluded within a period of four months from the date of receipt of a copy of this order.

4. The Writ Petition is disposed of accordingly. No costs.

15.12.2023

Index : Yes / No

Internet : Yes/ No

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To

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Sivagangai District.

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Ramanathapuram Educational District,
Ramanathapuram.

3.The District Educational Officer,
Paramakudi,
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W.P(MD)No.18995 of 2022

G.R.SWAMINATHAN, J.

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W.P(MD)No.18995 of 2022

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