



W.P(MD)No.9562 of 2015

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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DATED : 25.09.2023

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.P(MD)No.9562 of 2015

G.Ponraj

... Petitioner

Vs.

1.The District Registrar (Societies),  
Madurai South,  
171, Aranmanai Street,  
Madurai – 625 001.

2.Madurai Nadar Uravinmurai,  
539/137-C, Kamarajar Salai,  
Madurai – 625 009,  
Through its General Secretary.

... Respondents

**Prayer :** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1<sup>st</sup> respondent to conduct enquiry regarding the administration of Madurai Nadar Uravinmurai-Reg.No.7/1951 in his own motion under Section 36 of the Tamil Nadu Societies Registration Act, 1975 on considering the petitioner's representation dated 30.03.2015.



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For Petitioner : No appearance

For Respondents : Mr.S.RA.Ramachandran,  
Addl. Government Pleader for R1.  
Mr.C.Dhanaseelan for R2.

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### **ORDER**

None appears for the writ petition.

2.I went through the contents of the affidavit filed in support of the writ petition. The prayer is for directing the first respondent to conduct enquiry under Section 36 of the Tamil Nadu Societies Registration Act, 1975. Section 36 of the Act is as follows:-

***“36.The Power of Registrar to inquire into the affairs of registered society\_\_ (1) The Registrar may, of his own motion or on the application of a majority of the members of the committee of a registered society or on the application of not less than one-third of the members of that registered society, or, if so moved by the District Collector, hold, or direct some person authorized by the Registrar by order in writing in this behalf to hold, an inquiry, into the constitution, working and financial condition of that registered society.***



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*(2) An application to the Registrar under sub-section (1) shall be supported by such evidence as the Registrar may require for the purpose of showing that the applicants have good reason for applying for an inquiry.*

*(3) The Registrar may require the applicants under sub-section (1) to furnish such security as he thinks fit for the costs of the proposed inquiry, before the inquiry is held.*

*(4) All expenses of, and incidental or preliminary to the inquiry shall, where such inquiry is held—*

*a) on application, be defrayed by the applicants therefor or out of the assets of the registered society or by the members or officers of the registered society, in such proportions as the Registrar may, by order in writing, direct ; and*

*(b) on the District Collector's or Registrar's motion, be defrayed out of the assets of the registered society, and shall be recoverable as an arrear of land revenue.*

*(5) An order made under sub-section (4) shall, on application, be enforced by any civil court having local jurisdiction in the same manner as a decree of such court.*



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*(6) A person holding an inquiry under this section shall at all reasonable times have free access to all the books, accounts and documents of the registered society, and shall have power to call upon the registered society and the officers of the registered society to produce such books, accounts and documents and furnish such statements and other information in relation to its business as he may direct.*

*(7) It shall be the duty of all persons who are or have been officers of the registered society to furnish the inquiring officer with all the books, accounts and documents in their custody or power relating to the registered society.*

*(8) A person holding an inquiry under this section may summon any person who, he has reason to believe, has knowledge of any of the affairs of the registered society and may examine such person on oath and may summon any person to produce any books, accounts or documents belonging to him or in his custody if the person holding the inquiry has reason to believe that such books, accounts or documents contain any entries relating to transactions of the registered society.*

*(9) The result of the inquiry shall be communicated to the registered society and to the applicants, if any.”*



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3.The petitioner obviously does not have the requisite strength. At the instance of a solitary member, this Court will not be justified in directing enquiry. Hence, this writ petition is dismissed. No costs.

**25.09.2023**

NCC : Yes/No  
Index : Yes / No  
Internet : Yes/ No  
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To:-

The District Registrar (Societies),  
Madurai South,  
171, Aranmanai Street,  
Madurai – 625 001.



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**G.R.SWAMINATHAN, J.**

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