



W.P(MD)No.7194 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.7194 of 2017

M.Karpurasundram,
President,
Paramakudi Mela Theru Maniakara
Kula Vellalar Maha Sabha,
Sangam,
Paramakudi,
Ramanathapuram District.

...Petitioner

Vs.

The Registrar of Societies,
Sivagangai District,
Sivagangai.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to renew the Registration of Petitioners Sangam in the name of Paramakudi Mela Theru Maniyakara Kula Vellalar Maga Sabha Sangam Paramakudi by accepting the renewal fee according to the Societies Registration Act within a stipulated time as fixed by this Court.



WEB COPY



W.P(MD)No.7194 of 2017

For Petitioner : Mr.S.Thangaraj
For Respondent : Mr.P.T.Thiraviam
Government Advocate

ORDER

The petitioner claiming to be the President of Paramakudi Mela Theru Maniakara Kula Vellalar Maha Sabhai has filed this writ petition in the year 2017 for a Mandamus, directing the respondent to renew the registration of the petitioner's Sangam by accepting the renewal fee as per the Societies Registration Act.

2.The petitioner claims that their Society has been registered under the Societies Act 27 of 1975 in the year 1989 as Document No.21/1989 before the respondent. The previous Secretary with a malafide intention has failed to submit the accounts to the respondent and failed to renew the registration of the Sangam and therefore, steps have been taken and the registration has been cancelled by the respondent. Now the petitioner submits that he is



W.P(MD)No.7194 of 2017

willing to submit all the records before the respondent and seeks a direction to the respondent to restore the registration.

3.The learned Government Advocate on written instructions received from the District Registrar, Sivagangai in 7194-2017/A2/2022, dated 16.07.2022 submits as per Section 16 of the Tamil Nadu Societies Registration Act, 1975 and Rule 22 of Tamil Nadu Societies Rules, the audited accounts for each and every year from the date of registration have to be submitted before the respondent. However, the petitioner's Sangam has failed to submit the same. Therefore, the petitioners registration has been cancelled and the same was also published in the Government Gazette under Section 44 (4) of the Tamil Nadu Registration Act. He further submits that to that effect, a notice was also issued to the petitioner's Society on 23.04.2021.

4.This Court considered the rival submissions made.



W.P(MD)No.7194 of 2017

WEB COPY

5.It appears that the petitioner's Society has been registered as Document No.21/1989 and due to non-submission of the audited accounts for renewal, the District Registrar has initiated an action under Section 44 (4) of the Tamil Nadu Registration Act and has also cancelled the registration of the petitioner's Society and it was also published in the Government Gazette. The further proceedings are pending with the District Registrar. The petitioner is having an appeal remedy before the Inspector General of Registration.

6.In view of the above, this writ petition is disposed of, with a liberty to the petitioner to file an appeal before the Inspector General of Registration within a period of four weeks from the date of receipt of a copy of this order and in the event if any such appeal has been filed either by the petitioner or on behalf of the Society, the Inspector General of Registration concerned shall consider the same, by excluding the period of the pendency of this writ petition before



W.P(MD)No.7194 of 2017

this Court for the purpose of calculation of limitation and decide the issue on its merits and in accordance with law within a period of six months from thereon. No costs.

14.06.2023

NCC : Yes / No.

Index : Yes / No.

vrn

To

1.The Registrar of Societies,
Sivagangai District,
Sivagangai.

2.The Inspector General of Registration,
O/o.The Inspector General of Registration,
Nungambakkam,
Chennai.



WEB COPY



W.P(MD)No.7194 of 2017

B.PUGALENDHI, J.

vrn

Order made in
W.P(MD)No.7194 of 2017

14.06.2023