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W.P.No.21526 of 2021



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2024

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.21526 of 2021

Latin Catholic Fishermen Educational Society

... Petitioner

Vs.

1. The Inspector General of Registration,
100, Santhome High Road,
Chennai – 600 028.
2. The Director of Collegiate Education,
DPI Campus, College Road,
Chennai – 600 006.
3. The Regional Joint Director of Collegiate Education,
Tirunelveli Region, Tirunelveli.
4. The District Registrar,
Marthandam, Kanyakumari District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to pass orders for approval of Form-VII Submitted by Latin Catholic Fishermen Education Society dated 31.08.2019 in pursuant to enquiry proceedings conducted vide proceedings of 1st respondent in No.20551/ 12/ 2018 dated 19.2.2020 and consequently confirm the Form-VII submitted by the petitioner society within a time frame to be fixed by this Honourable court.

For Petitioner

: Mr.S.Nedunchezhiyan



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For Respondents : Mr.T.Arunkumar,
Additional Government Pleader

ORDER

The Writ Petition has been filed for directing the 1st respondent to pass orders for approval of Form-VII Submitted by Latin Catholic Fishermen Education Society dated 31.08.2019 in pursuant to enquiry proceedings conducted vide proceedings of 1st respondent in No.20551/ 12/ 2018 dated 19.2.2020 and consequently confirm the Form-VII submitted by the petitioner society.

2. With reference to the prayer in the Writ Petition, the affidavit filed by the writ petitioner would reveal that in respect of the petitioner college, one Fr. Joseph Baskaran was appointed as Secretary of the College by the Board on 17.07.2011 for three years. The same was objected by one Fr.Francis M.Vincent, who was actually removed from the society on 17.03.2010. The civil suit filed in O.S.No.289 of 2010 was dismissed and further confirmed in A.S.No.3 of 2012. Accordingly, Fr. Joseph Baskaran completed the term of three years as Secretary of the College. The term of Secretary of the College was completed in the year 2014 and a new Board of Directors were elected through general body meeting conducted on 12.09.2014, by which Rev.Fr. Sylvester Morais was elected as President of Society and Rev.Fr.Lucian Thomas was appointed as Secretary of the



College. Consequently, Form VII under Rule 17(2) of Tamil Nadu Societies Registration Rules, 1978 was filed by the elected Board.

3. The above facts would reveal that the term of three years as Secretary of the College had already been expired even for the petitioner herein i.e., Rev.Fr. Sylvester Morais and for Rev.Fr.Lucian Thomas. However, the management disputes exist during the relevant point of time as to whether the petitioner herein is continuing for a further term or not is not made clear. Therefore, it is for the petitioner to take appropriate action to move the the authorities in the manner contemplated under the Statutes and Rules in force.

4. The relief sought for in the Writ Petition cannot be granted. Accordingly, the Writ Petition stands disposed of. No costs.

09.02.2024

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Index : Yes

To

1. The Inspector General of Registration,
100, Santhome High Road, Chennai – 600 028.
2. The Director of Collegiate Education,
DPI Campus, College Road, Chennai – 600 006.
3. The Regional Joint Director of Collegiate Education,
Tirunelveli Region, Tirunelveli.



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4. The District Registrar,
Marthandam, Kanyakumari District.

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S.M.SUBRAMANIAM, J.

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