



W.P(MD)No.1318 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 23.01.2024

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

Writ Petition(MD)No.1318 of 2024

Captain D.V.R Foundation for HRD,
Reg. No.54/1969,
(Madurai Institute of Social Science Campus),
No.9, Alagar Kovil Road,
Madurai – 625 002.
Rep. by its Secretary,
Mr.D.V.Dharmasingh

..Petitioner

Vs

The District Registrar of Societies (Administration),
Madurai North,
Rajagamperam,
Y.Othakkadai,
Madurai – 625 017.

..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 register/accept the Annual Returns of the petitioner Society Captain DVR Foundation for HRD (Societies Registration No.54/1969) of the year 2020 to 2021 and issue certified copies of Form VI and Form VII at the earliest as per the petitioners representation dated 08.12.2021, 11.02.2022 and 03.01.2024 within a reasonable time to be determined by this Court.



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For Petitioner : Mr.N.Dlipkumar
For Respondent : Mr.S.Shanmugavel
Addl. Govt. Pleader

ORDER

The Petitioner has prayed for issuance of a Writ of Mandamus directing the respondent to register/accept the Annual Returns of the petitioner Society Captain DVR Foundation for HRD (Societies Registration No.54/1969) of the year 2020 to 2021 and issue certified copies of Form VI and Form VII at the earliest as per the petitioner's representations dated 08.12.2021, 11.02.2022 and 03.01.2024 within a reasonable time to be determined by this Court.

2. Mr.S.Shanmugavel, learned Additional Government Pleader takes notice for the respondent. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. The case of the Petitioner is that the petitioner society is strictly complying with the filing of Annual Returns and all statutory obligations as per the Tamil Nadu Societies Registration Act, 1975 and the Tamil Nadu Societies Registration Rules, 1978 since 1969. Due to COVID pandemic situation, there



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were some disruptions in the compliance of the statutory procedural requirements by the society. On 08.12.2021, the petitioner society submitted their Annual Return for the year 2020 to 2021. On 11.02.2022, they requested the certified copy of Form VI and Form VII for the year 2021 to enable them to get the secretaryship approval from the Directorate of Collegiate Education, Chennai. However, the respondent vide communication dated 21.02.2022 informed that their Annual Returns are yet to be verified and not taken on file. On 03.01.2024, the petitioner society again sent a representation to the respondent in this regard. However, the respondent vide communication dated 10.01.2021 again reiterated the same. Hence, the petitioner society has filed the present writ petition seeking the above said relief.

4. The learned counsel appearing for the petitioner would submit that the Inspector General of Registration, Chennai vide circular No.03/2022 க.எண். 8413/ஊ2/2013 dated 27.05.2022, had issued guidelines to the respondent regarding the procedure to be followed while verifying and accepting Form VI, Form VII and Annual Returns of the Societies. Further, three months duration is also fixed to comply with the above obligations to pass final orders on the representation received from the registered societies.



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5. The learned Additional Government Pleader appearing for the respondent would submit that since the petitioner society submitted their Annual Return for the year 2020 to 2021 with a long delay, their request could not be considered. After conducting an enquiry by the Deputy Inspector General of Registration, Madurai, and after accepting the Form VI and Form VII, the petitioner's request will be considered. Hence, the respondent sent a reply stating that their Annual report are yet to be verified and not taken on file.

6. At this juncture, the learned counsel for the petitioner would submit that appropriate direction may be issued to the Deputy Inspector General of Registration, Madurai to pass appropriate orders after conducting an enquiry in respect of the petitioner's case.

7. In view of the above said submissions, this Court, without expressing any opinion on the merits of the matter, directs the Deputy Inspector General of Registration, Madurai to hold an enquiry in respect of the petitioner's case and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the parties concerned, within a period of 20 weeks from the date of receipt of a copy of this order.



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8. With the above directions, this writ petition stands disposed of. No

costs.

23.01.2024

NCC : Yes/No

Index : Yes/No

Internet: Yes

skn

To

1.The District Registrar of Societies (Administration),
Madurai North,
Rajagamperam,
Y.Othakkadai,
Madurai – 625 017.

2.The Deputy Inspector General of Registration,
Madurai.



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V.BHAVANI SUBBAROYAN, J.

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