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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2024

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

Writ Petition (MD)No.1889 of 2024

N.Mohamed Eqbal ... Petitioner

-Vs-

1.The Inspector General of Registration,
Chennai.

2.The Deputy Inspector General of Registration,
Tirunelveli.

3.The District Collector,
Kanyakumari District,
Nagercoil.

4.The District Registrar,
Kanyakumari District,
Nagercoil.

5.The Secretary,
Babul Jannah Islamic Welfare Association,
4/67, Main Road,
Kanyakumari – 629 702,
Kanyakumari District.

... Respondents

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PRAYER:- Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the respondents 1 to 4 to conduct enquiry and take stringent action against the fifth respondent Society based on the representation dated 13.01.2023.

For Petitioner : Mr.A.S.Abul Kalaam Azad

For Respondents : Mr.C.Satheesh
Govt. Advocate (for R1 to R4)

ORDER

This writ petition is filed seeking for issuance of a Writ of Mandamus to direct the respondents 1 to 4 to conduct enquiry and take stringent action against the fifth respondent Society based on the representation dated 13.01.2023.

2.Mr.C.Satheesh, learned Government Advocate takes notice for the respondents 1 to 4. Considering the nature of the order proposed to be passed, protecting the interest of the fifth respondent, notice to them is dispensed with. By consent, this writ petition is taken up for final disposal at the admission stage itself.

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3. The learned counsel appearing for the petitioner would submit that the petitioner is the member of the fifth respondent society There were gross level mismanagement and misappropriation in the fifth respondent society. A stranger to the fifth respondent society, who is not even a member, claimed himself to be the Secretary of the fifth respondent society and sold various properties without the consent of the General Body. Hence, the petitioner submitted a representation on 13.01.2023 and the petitioner was called to appear before the fourth respondent on 28.03.2023 for enquiry and the petitioner has also appeared and submitted his statement in writing along with the documents. Thereafter, no action was taken. Hence, the present writ petition has been filed.

4. The learned Government Advocate appearing for the respondents 1 to 4 has strongly object the arguments of the learned counsel for the petitioner.

5. It is seen that already an enquiry is pending. Therefore, without going into the merits of the matter, this Court directs the respondents 1 to 4 to complete the enquiry and pass appropriate orders on merits and in

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accordance with law, after giving notice to the interested parties, if any, within a period of twenty weeks from the date of receipt of a copy of this order.

6. This Writ Petition stands disposed of with the above directions. No costs.

31.01.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes
skn

To
1.The Inspector General of Registration,
Chennai.

2.The Deputy Inspector General of Registration,
Tirunelveli.

3.The District Collector,
Kanyakumari District,
Nagercoil.

4.The District Registrar,
Kanyakumari District,
Nagercoil.

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V.BHAVANI SUBBAROYAN, J.

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