



W.P.(MD)No.21724 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 18.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.21724 of 2024
and WMP(MD) No.18338 of 2024

Thanjavur District Fencing Association,
rep. By its Secretary D.B.S.Kalimuthu

... Petitioner

Vs

1. The District Registrar,
District Registrar Office,
Thanjavur District.

2. The Deputy Inspector General of Registration,
Deputy Inspector General of Registration,
Thanjavur District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, to call for the impugned letter sent by the 1st respondent on their proceedings in Na.Ka.No. 647/A3/2024 dated 06.03.2024 to quash the same as void and consequently, directing the 1st respondent to conduct a proper enquiry and pass appropriate orders on perusal of the petitioner's representation, dated 27.02.2024 along with the supporting documents furnished with enclosures sent along with the representation with a stipulated period of time frame fixed by this Court.



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For Petitioner : Mr.S.J.Raja
For respondents : Mr.C.Satheesh
Government Advocate

ORDER

This Writ Petition has been filed challenging the impugned letter of the 1st respondent in Na.Ka.No. 647/A3/2024 dated 06.03.2024 and consequently, direct the 1st respondent to conduct a proper enquiry and pass appropriate orders on perusal of the petitioner's representation, dated 27.02.2024.

2.Heard Mr.S.J.Raja, learned counsel appearing for the petitioner, Mr.C.Satheesh, learned Government Advocate appearing for the respondents.

3. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

4.It is case of the writ petitioner that the petitioner's Association running an Association namely, Thanjavur District Fencing Association. It exclusively belongs to them, whereas, when the petitioner's Association trying to register the same, some third party, who has not even participated in any event,



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had allegedly registered the same in the name of Thanjavur District Fencing Association in Reg.No.7/2014. In this regard, he has given a representation before the first respondent on 27.02.2024 and the same was rejected. Hence, this writ petition came to be filed.

5.The impugned order has been passed, since other Association has already registered in the year 2014 in Reg.No.7/14 in the same name, the petitioner's Association cannot be registered in that name.

6.After making arguments for sometime, the learned counsel for the petitioner submitted that they may be permitted to file a fresh representation before the District Registrar and he may conduct an enquiry in this regard, as to whether the other Association registered in the year 2014 is in existence and conducting the affairs as per the Societies Registration Act.

7.In view of the above, the petitioner is at liberty to submit a fresh representation before the District Registrar requesting him to cause an enquiry in respect of Association registered in Reg.No.7/14 and pass orders on its own merits. This Court is not inclined to quash the impugned order, since the petitioner



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has sought to register their Association in the same name, which is already in existence.

8. With the above observations, this writ petition stands disposed of.

No costs. Consequently, connected miscellaneous petition is closed.

18.09.2024

NCC : Yes/No
Index : Yes/No
PNM

To

1. The District Registrar,
District Registrar Office,
Thanjavur District.

2. The Deputy Inspector General of Registration,
Deputy Inspector General of Registration,
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N.SATHISH KUMAR, J.

PNM

ORDER IN

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