

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-08-2025

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

REV.APLW No. 192 of 2025

AND

WMP NOs. 30117 OF 2025 and 30118 OF 2025

1.

1. Chennai Vazh Nadaragal
Sangam
49/4, Vallalar Street, Redhills,
Chennai-600 052.

Appellant(s)

Vs

1. S.Natrajan
No. 1, Vibhava Nivas, 31, 32,
Venkatraman Street,
Thiyagaraya Nagar,
Chennai-600 017.

2.The District Registrar
Office Of The District Registrar,
Thriuvallur -602 001.

Respondent(s)

PRAYER

Review application filed under Order 47 Rule 1 r/w. Section 114 of CPC to review the order dated 23.06.2025 in W.P. 22351 of 2025.

For Appellant(s): Mr.Selvaraj
for Mr.D.Jayasingh
For Mr.P.H.Arvind Pandian



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Respondent(s): Senior Counsel
Assisted by
Mr.Karthikeyan
Anbazhagan for R1
Mr.E.Vijay Anand Agp
Takes Notice For R2

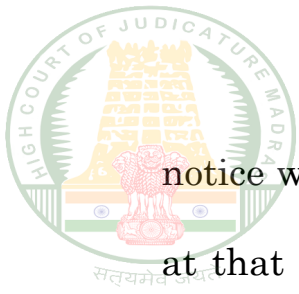
ORDER

This review application has been filed to review the order passed in WP No.22351 of 2025 dated 23.06.2025.

2. The 1st respondent / writ petitioner filed the writ petition for a direction to the 2nd respondent to deal with the complaint / representation dated 12.05.2025 and to conduct an enquiry under Section 36 of the Tamil Nadu Societies Registration Act, 1975 [hereinafter referred to as the **Act**] and to issue a report.

3. When this writ petition came up for admission on 23.06.2025, the writ petition itself was disposed of with a direction to the District Registrar to deal with the representation / complaint and take a decision within a period of eight weeks, on its own merits and in accordance with law.

4. Pursuant to the above order passed by this Court, the

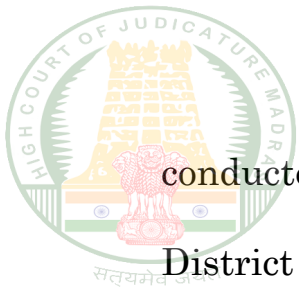


notice was issued to the office bearers of the petitioner sangam. Only at that point of time, they were made aware of the order passed by this Court in WP No.22351 of 2025 dated 23.06.2025. Hence, the review petitioner / 2nd respondent in the writ petition has filed the present review application.

5. When this review petition came up for hearing on 24.07.2025, this Court after hearing the learned counsel for the review petitioner felt that the review petitioner ought to have been heard in this matter and also took into consideration the grounds raised in the review petition. Hence, this Court kept the order passed in the writ petition in abeyance and issued notice to the writ petitioner as well as the official respondents.

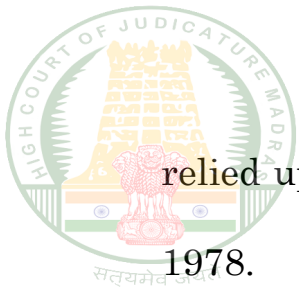
6. After service of notice, the matter came up for final hearing today.

7. The learned counsel for the review petitioner submitted that certain material facts were not brought to the notice of this Court by the writ petitioner. The learned counsel further submitted that the crux of the dispute touches upon the election that was



conducted and hence, it goes beyond the power and jurisdiction of the District Registrar to deal with the same. The learned counsel further

submitted that the writ petitioner, who is an individual cannot give a complaint and such a complaint is not maintainable under Section 36 of the Act. The learned counsel submitted that one of the four requirements must be satisfied in order to invoke Section 36 of the Act. The learned Counsel relied upon the judgement of the Full Bench in ***[C.M.S.Evangelical Suvi David Memorial Higher Secondary School Committee, Karisal and others Vs. The District Registrar, Cheranmahadevi and others]*** reported in ***2005 2 CTC 161*** and submitted that the scope of enquiry under Section 36 of the Act cannot extend to an election dispute. The learned counsel also relied upon the judgment of the learned Single Judge in ***[Theni Melapettai Hindu Nadarkal Uravinmurai Vs. The District Registrar (Societies) and others]*** reported in ***2007 SCC online Madras 672***. He placed specific reliance from Paragraph 14 of the judgement. The learned counsel submitted that at the best, the power that is wielded by the District Registrar is only a ministerial act of receiving the form, scrutinising the same and verifying the correctness of the particulars and registering the same. The learned counsel in order to substantiate his submission also



relied upon Rules 49 to 52 of the Tamil Societies Registration Rules, 1978.

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8. In reply to the above submission, the learned Senior counsel appearing on behalf of the 1st respondent / writ petitioner submitted that the complaint/representation given by the petitioner is maintainable since it can trigger initiation of suo-motu proceedings under Section 36 of the Act. To substantiate this submission, the learned Senior Counsel relied upon the judgement in ***[Yadhavar Kalvi Nithi Registered Society and others Vs. The State of Tamil Nadu and others]*** reported in **2013 2 CTC 241**. The learned Senior counsel further brought to the notice of this Court the particulars that were furnished by the District Registrar which showed that initially there were 1199 members. Subsequently, even though it was agreed to include only seven members, a total of 10 members were added and the total number of members increased to 1209. The learned Senior counsel submitted that the inclusion of members in the relevant forms is a matter which is well within the power and jurisdiction of the District Registrar. Therefore, it is for the District Registrar to take a decision as to whether suo-motu proceedings are going to be initiated by the District Registrar.



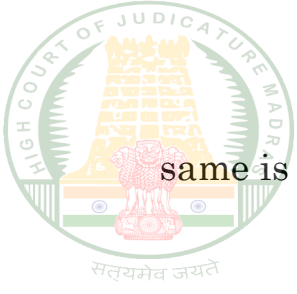
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9. This Court has carefully considered the submissions made on either side and also perused the materials available on record.

10. It is true that the suo-motu proceedings can be sparked by means of complaints received from individual members. The judgement relied upon by the learned Senior counsel for the writ petitioner deals with such a scenario at Paragraph 9 and 10 of the judgement.

11. In the case in hand, there is no dispute with regard to the fact that an individual member has given a complaint / representation to the District Registrar. When the same was not considered, he approached this Court by filing WP No.22351 of 2025. When this Court disposed of this writ petition on 23.06.2025, this Court directed the District Registrar to deal with the representation / complaint on its own merits and in accordance with law.

12. Pursuant to the above order, the District Registrar has issued a notice dated 03.07.2025 and for proper appreciation, the



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same is extracted hereunder:-

சென்னை வாழ் நாடார்கள் சங்கம்-பதிவு எண்.196/1966 என்ற
சங்க நிர்வாகக்குழு தொடர்பான படிவம் 7-னை கோர்வை
செய்ய வேண்டாம் எனத்தெரிவித்து புகார் மனு பார்வை 1-ன்
கடிதவழி இணைப்புகளுடன் வரப்பெற்றுள்ளது. மேற்படி புகார்
தொடர்பாக எதிர்வரும் 21.07.2025 அன்று முற்பகல் 11.00
மணியளவில் திருவள்ளூர் மாவட்டப்பதிவாளர்
அலுவலகத்தில், மாவட்டப்பதிவாளர் முன்னிலையில்,
தங்களிடமுள்ள அனைத்து பதிவேடுகள் மற்றும் உரிய
ஆதாரங்களுடன் நேரில் ஆஜராக மேற்படி சங்க தலைவர்
மற்றும் செயலாளர் கோரப்படுகிறார்கள்.

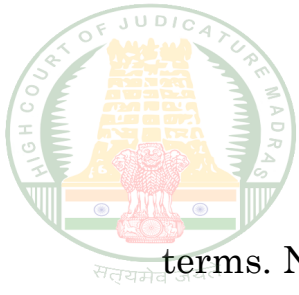
13. A careful reading of the above notice does not give any indication as to whether the District Registrar has decided to initiate suo-motu proceedings in this case. What is seen is that the complaint / representation given by the writ petitioner has been noted and the order passed by this Court in WP No.22351 of 2025 dated 23.06.2025 has been taken note of. Based on the same, the District Registrar has called for an enquiry. The District Registrar nowhere states that he had applied his mind on the complaint given by the writ petitioner and has decided to initiate suo-motu proceedings against the Sangam to conduct an enquiry under Section 36 of the



Act. On a plain reading of the above notice, it is seen that the notice has been triggered only by the representation / complaint given by the petitioner. Based on which, directions were issued in the writ petition. This does not satisfy the requirement under Section 36 of the Act.

14. In my considered view, while disposing of the writ petition, I completely missed sight of the scope of Section 36 of the Act. That apart, the writ petition ought to have been heard after issuing notice to the review petitioner. Even at the time of disposing of the writ petition, I should have put a question to the learned Additional Government Pleader appearing for the District Registrar as to whether the District Registrar is going to initiate suo-motu proceedings. Therefore, in my considered opinion the order passed in the writ petition suffers from error apparent on the face of the order.

15. In the light of the above discussion, I am inclined to allow this review application and the order passed in WP No.22351 of 2025 dated 23.06.2025 is hereby withdrawn. The writ petition is restored on file.



16. This Review application is allowed in the above terms. No costs.

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



To

1.S.Natrajan
No. 1, Vibhava Nivas, 31, 32,
Venkatraman Street, Thiyagaraya
Nagar, Chennai-600 017.

2.The District Registrar
Office Of The District Registrar,
Thriuvallur -602 001.



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N.ANAND VENKATESH J.
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