



W.P.Nos.33247, 32700 and 32703 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.11.2025

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.33247, 32700 and 32703 of 2024

And

W.M.P.Nos.46830, 46769 and 46772 of 2025

M/s.WEBB'S MEMORIAL ORPHANAGE
(A Society Regd. under The Societies Registration Act, 1860)
Rep. by its Secretary
H.Hemalatha
No.41, Main Road,
St.Thomas Mount,
Chennai – 600 016. ... Petitioner in all the W.Ps.

Vs.

- 1.Union of India,
Rep. by its Secretary to Government
Ministry of Home Affairs,
Foreigners Division – FCRA Wing,
New Delhi – 110 001.
- 2.The Director,
Ministry of Home Affairs,
Foreigners Division – FCRA Wing,
New Delhi – 110 001. ... Respondents in all the W.Ps.
- 3.The Branch Manager,
State Bank of India, Main Branch,
Sansad Marg, Parliament Street,
New Delhi – 110 001. ... Respondent in W.Ps.32700 &
32703/2024



W.P.Nos.33247, 32700 and 32703 of 2024

Prayer in W.P.No.33247 of 2024:

Petitions filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records of the impugned order dated 23.08.2024 of the second respondent refusing the petitioner Society's application dated 12.01.2024 submitted for registration under FCRA, 2010, taken on record by the second respondent vide file No.6700102024 and quash the same as arbitrary, illegal, null and void, against the norms of the public policy and principles of natural justice and being contrary to the provisions of the sections of the FCRA, 2010.

Prayer in W.P.No.32700 of 2024:

Petitions filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent to consider the petitioner Society's representation dated 22.11.2023 and 06.01.2024 and defreeze the bank account of the petitioner society bearing Current A/C. No. 40134320816 in the third respondent Bank.

Prayer in W.P.No.32703 of 2024:

Petitions filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records relating to the proceedings of the second respondent dated 04.11.2023 and quash the same as arbitrary, illegal, null and void, against the norms of the public policy and principles of natural justice and to quash the same as being contrary to the provisions of the sections of the FCRA, 2010 and consequentially, to direct the second respondent to renew



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the registration of the petitioner society, being Registration No.075820043 dated 06.03.1985, by considering their representation dated 06.01.2024 in accordance with the provisions of the FCRA, 2010, within the time period as may be fixed by this Hon'ble Court.

For Petitioner : Mr.Om Prakash
Senior Counsel
for M/s.G.Vidushi
For Respondents : Mr.V.Chandrasekaran for R1 and R2

COMMON ORDER

W.P.No.33247 of 2024 has been filed seeking issuance of Writ of Certiorari calling for the records of the impugned order dated 23.08.2024 of the second respondent refusing the petitioner Society's application dated 12.01.2024 submitted for registration under FCRA, 2010, taken on record by the second respondent vide file No.6700102024 and quash the same as arbitrary, illegal, null and void, against the norms of the public policy and principles of natural justice and being contrary to the provisions of the sections of the FCRA, 2010.

2.W.P.No.32700 of 2024 has been filed seeking issuance of Writ of Mandamus directing the second respondent to consider the



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petitioner Society's representation dated 22.11.2023 and 06.01.2024 and defreeze the bank account of the petitioner society bearing Current A/C. No. 40134320816 in the third respondent Bank.

3.W.P.No.32703 of 2024 has been filed seeking issuance of Writ of Certiorarified Mandamus calling for the records relating to the proceedings of the second respondent dated 04.11.2023 and quash the same as arbitrary, illegal, null and void, against the norms of the public policy and principles of natural justice and to quash the same as being contrary to the provisions of the sections of the FCRA, 2010 and consequentially, to direct the second respondent to renew the registration of the petitioner society, being Registration No.075820043 dated 06.03.1985, by considering their representation dated 06.01.2024 in accordance with the provisions of the FCRA, 2010, within the time period as may be fixed by this Court.

4.Since the issue involved in these writ petitions are interrelated, they are disposed of by way of a common order.

5.The learned Senior Counsel appearing for the petitioner submitted that the petitioner is registered under the Societies



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Registration Act and it was established in the year 1965 to enroll orphans, helpless and needy children and to provide them with free accommodation, food, clothing and education and other necessities of life for them to grow up as respectable citizens of the country. The petitioner society was registered as an entity to receive foreign contributions on 06.03.1985 pursuant to the provisions of then Foreign Contribution (Regulation) Act, 1975 under the category 'Religious, Economic and Educational' and the said registration was periodically renewed and was valid under the Foreign Contribution (Regulation) Act, 2010 [hereinafter referred to as 'FCRA'].

6.The learned Senior Counsel appearing for the petitioner further submitted that the petitioner lastly obtained renewal on 01.11.2016 extending the validity of FCRA registration for five years until 31.10.2021. The petitioner society applied online for renewal of the registration on 08.09.2021 and the same was kept pending due to COVID restrictions and the second respondent communicated by email that the validity of the petitioner society's registration was extended upto 31.03.2024 or till the date of disposal of the renewal application. Whiles, on 04.11.2023, the petitioner society received an email from the second respondent stating that the competent authority has



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refused the request of the petitioner society for renewal under Section 16(2) of the FCRA.

7.The learned Senior Counsel appearing for the petitioner further submitted that on account of non renewal of FCRA registration, the bank account was freezed. In this regard, the petitioner made representation to the second respondent, however, there is no response. The petitioner society also made fresh application to the second respondent for FCRA registration on 12.01.2024, however, the second respondent rejected the said application. Hence, the petitioner has filed these writ petitions for the aforesaid relief.

8.The learned Senior Counsel appearing for the petitioner further submitted that the two impugned orders passed by the second respondent did not reveal anything against the petitioner, which is clear non application of mind and further submitted that without assigning any reason the impugned orders have been passed, which is not sustainable one. Hence, this Court may set aside the impugned orders and remit the matter back to the second respondent and issue direction to the second respondent to pass a reasoned order in terms of FCRA.



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12.The petitioner society was registered as an entity to receive foreign contributions on 06.03.1985 pursuant to the provisions of then Foreign Contribution (Regulation) Act, 1975 under the category 'Religious, Economic and Educational' and the said registration was periodically renewed and was valid under FCRA. The petitioner made application for renewal of registration and the same was rejected vide order dated 04.11.2023. Thereafter, the petitioner made fresh application to the second respondent for FCRA registration on 12.01.2024 and the said application was rejected vide order dated 23.08.2024.

13.Perusal of records reveal that the impugned orders have been passed without any discussion about the alleged violation committed by the petitioner. Hence, the orders of the second respondent dated 04.11.2023 and 23.08.2024 are set aside and the matter is remanded back to the second respondent for considering the matter afresh. The second respondent is directed to hear the petitioner and pass a reasoned order, within a period of twelve weeks from the date of receipt of a copy of this order.



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14.The writ petitions are disposed of. No costs.

Consequently, the connected miscellaneous petitions are closed.

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

1.Union of India,
Rep. by its Secretary to Government
Ministry of Home Affairs,
Foreigners Division – FCRA Wing,
New Delhi – 110 001.

2.The Director,
Ministry of Home Affairs,
Foreigners Division – FCRA Wing,
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3.The Branch Manager,
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