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W.P.No.3206 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2025

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THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.3206 of 2025

M.Mohammed Shahid

... Petitioner

VS.

1.The Inspector General of Registration,
Mylapore Road,
Santhome, Chennai.

2.The District Registrar/Registrar of Societies,
O/o.The District Registrar,
Thirupathiripuliyur, Cuddalore,
Cuddalore District.

3.The District Registrar/Special Officer,
Cuddalore District Registrar,
Cuddalore District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st Respondent to extend the term of the Interim administrator and appoint the new Special officer to manage the affair of the Anugranga Satellite Township Association by considering the Petitioner's representation dated 11.11.2024 within a time frame fixed by this Court.



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For Petitioner : Mr.I.Abdul Basith

For Respondents : Mr.M.Shajahan
Special Government Pleader

ORDER

By consent of both the learned counsel appearing for the petitioner as well as respondents, this writ petition is disposed of at the admission stage itself.

2. The Writ Petition is filed seeking a direction to the 1st respondent to extend the term of Interim Administrator/Special Officer to manage the affairs of the Anugraha Satellite Township Association by considering the petitioner's representation dated 11.11.2024.

3. It is the case of the petitioner that pursuant to the order passed by this Court in W.P.No.34317 of 2019, a Special Officer was appointed to look after the affairs of the above said Society under G.O.(R)No.360, Commercial Tax and Registration (M-1) Department, dated 23.11.2023. Since the Officer appointed under the said Government Order got retired,



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another G.O.(D)No.174, Commercial Tax and Registration (M.1)

Department was issued on 31.05.2024 appointing the 3rd respondent herein as a Special Officer of the Society for a period from 01.05.2024 to 23.11.2024. The term of the said Officer is also expired. However, the elections for electing Office Bearers of the Society has not been conducted as per the bye-laws. Therefore, the petitioner submitted a representation before the 1st respondent dated 11.11.2024 seeking necessary action for extension of term of Special Officer.

4. Mr.M.Shajahan, learned Special Government Pleader, who is taking notice for the respondents would submit that the representation submitted by the petitioner will be considered on its own merits within the time fixed by this Court.

5. Under Section 34 (A) of the Tamil Nadu Societies Registration Act, 1975 only the Government is entitled to appoint the Special Officer and 1st respondent cannot appoint the Special Officer or extend his/her term. Therefore, the prayer sought for in this writ petition seeking extension of term of the Special Officer cannot be granted in the absence of Government.



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However, the 1st respondent is directed to consider the representation of the petitioner dated 11.11.2024 and make necessary recommendations to the Government in accordance with law, within a period of four weeks from the date of receipt of copy of this order. It is also open to the petitioner to make necessary representation to the Government.

6. With the above direction, the Writ Petition stands disposed of. No costs.

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Index :Yes/No
Speaking order :Yes/No
Neutral Citation :Yes/No
dm



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S.SOUNTHAR, J.

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