



W.P.(MD)No.3821 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.3821 of 2025

and

W.M.P.(MD)Nos.2748 and 2752 of 2025

S.Senthil Kumar,
S/o.Samiya,
Treasurer,
Tamilnadu Grama Bank SC / ST Employees
Welfare Association at Madurai,
Kodumudi, Erode District.

... Petitioner

-VS-

- 1.The Inspector General of Registration,
Registration Department,
No.100, Santhome High Road,
Pattinapakkam,
Chennai - 600 028.
- 2.The District Registrar,
District Registrar Office,
TNAU Nagar,
Rajagambeeram,
Y.Othakadai, Madurai - 625 107.
- 3.The General Manager,
Tamilnadu Grama Bank,
No.6,Hastampatti Road,
Meenakshi Nagar, Yercaud, Salem - 636 007.



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4. Tamilnadu Grama Bank,
SC/ST Employees Welfare Association,
Rep. by its President,
No.155, 6th Street, B Zone,
Jankit Nagar, Madurai - 625 107.

5. The General Secretary,
Tamilnadu Grama Bank,
SC/ST Employees Welfare Association,
No.155, 6th Street, B Zone,
Jankit Nagar, Madurai - 625 107.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 2 and 3 to take action against the respondents 4 and 5 for swindling the society funds of Rs.22,19,982/- and also to cancel the illegal renewal of registration of the fourth respondent's society by conducting proper enquiry under Section 36 of the Tamilnadu Societies Registration Act, 1975 based on the petitioner's representation dated 02.01.2025, within the period stipulated by this Court.

For Petitioner	:	Mr. Ananth C. Rajesh
For R1 and R2	:	Mr. N. Ramesh Arumugam Government Advocate
For R3	:	Mr. N. Dilip Kumar Standing Counsel
For R4	:	Mr. K. Dinesh



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ORDER

This Writ Petition has been filed seeking a direction to the respondents 2 and 3 to take action against the respondents 4 and 5 for swindling the society funds of Rs.22,19,982/- and also to cancel the illegal renewal of registration of the fourth respondent's society by conducting proper enquiry under Section 36 of the Tamilnadu Societies Registration Act, 1975, based on the petitioner's representation dated 02.01.2025.

2. With the consent of both sides, this Writ Petition is disposed of at the admission stage itself.

3. Since no adverse orders are going to be passed against the fifth respondent, notice to the fifth respondent is hereby dispensed with.

4. The petitioner, who is the treasurer of the fourth respondent Society, submitted a representation to the respondents 1 and 2 on 02.01.2025 regarding the embezzlement of Rs.22,19,982/- by the respondents 4 and 5. Since the said representation was not considered, the petitioner has filed the present Writ Petition.



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5. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

6. In the light of the above observations, there shall be a direction to the second respondent herein to consider the petitioner's representation dated 02.01.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, the respondents 4 and 5 as well as all other persons, who may be interested in the subject matter, within a period of four weeks from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the second respondent to consider the same on its own merits.



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7. With the above observations and directions, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

NCC : Yes / No
Index : Yes / No
smn2

13.02.2025

To:-

- 1.The Inspector General of Registration,
Registration Department,
No.100, Santhome High Road,
Pattinapakkam,
Chennai - 600 028.
- 2.The District Registrar,
District Registrar Office,
TNAU Nagar,
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VIVEK KUMAR SINGH, J.

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