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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.07.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.15259 of 2025

and

W.M.P.(MD)Nos. 11530, 11531 and 13868 of 2025

R.P.Murugesan,
The president,
Kulathur Hindu Nadarkal Uravinmurai Society.

... Petitioner

Vs.

1.The District Registrar
Administration,
Thoothukudi.

2.Shanmugavel.

...Respondent(s)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a *Writ of Certiorarified Mandamus*, to call for the records relating to the impugned order issued by the 1st respondent in his proceedings Na.Ka. No.6983/A3/2024, dated 19.02.2025 and to quash the same and



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consequent to direct the 1st respondent to renew Kulathur Nadar Uravinmurai Sangam and file the documents submitted by the petitioner within stipulated time.

For Petitioner	: Mr.T.A.Ebenezer
For R1	: Mr.G.Suriya Ananth Additional Government Pleader
For R-2	: Mr.V.S.Kishok Kumar

ORDER

The present Writ Petition has been filed for the issuance of a *Writ of Certiorarified Mandamus*, to quash the impugned order issued by the 1st respondent dated 19.02.2025 and consequently direct the 1st respondent to renew Kulathur Nadar Uravinmurai Sangam.

2. The brief facts of the case are that the petitioner claims to have been elected as President for the term 2022–2027. He has submitted all the necessary documents, except Form-VII.



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3. Through the impugned order, the 1st respondent rejected the petitioner's submission on the grounds that the Annual Reports for the period from 2018–2019 to 2023–2024 were not submitted. Further, the financial statements for the said period were also not provided, and Form-VI was found to be unclear. The 1st respondent further noted that O.S. No. 108 of 2022, on the file of I Additional District Court, Thoothukudi, is still pending. Consequently, the documents were returned. Aggrieved by this, the petitioner has filed the present writ petition.

4. The contention of the petitioner is that the Sangam was involved in litigation for the past six years and as a result, the Annual Reports could not be submitted during that time. However, the petitioner submitted that he has now submitted the required Annual Reports to the 1st respondent with delay, but the 1st respondent refused to accept them. The Learned counsel further submitted that the Registrar has the authority to condone the delay for up to ten years and has relied on the relevant statutory amendment. The same is extracted hereunder:



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No. SRO A/23(a)/2020.

In exercise of the powers conferred by Section 56 of the Tamil Nadu Societies Registration Act, 1975 (Tamil Nadu Act 27 of 1975), the Governor of Tamil Nadu hereby makes the following amendment to the Tamil Nadu Societies Registration Rules, 1978:-

AMENDMENT

In the said Rules, in rule 48-A, for sub-rule (1), the following sub-rule shall be substituted, namely:-

“(1) For the purpose of sub-section (2) of section 49, the authority competent to condone the delay in complying with the time limit referred to in that sub-section shall be, the Registrar of the District concerned up to a period of ten years, the Inspector General of Registration for the period from ten years to twenty years and the Government for the period above twenty years.”

After perusing the above provisions, this Court is of the considered opinion when the above provision is granting power to condone the delay, then there would not be any impediment to the 1st respondent to condone the delay and accept annual reports for the past period.



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5. At this juncture the 2nd respondent vehemently objected for the condone delay in accepting the annual reports and consequently to register the Form-VII, stating that a suit is already pending regarding the same issue.

6. It is seen from the records that the suit in O.S. No.108 of 2022 was filed by one M. Seenirajan, representing the Kulathur Hindu Nadargal Uravinmurai Sangam, challenging the annual report for the years 2018–2021. During the pendency of the said suit, Seenirajan died on 12.12.2022. Thereafter, the 2nd respondent was elected as President in the meeting and he had assumed the post.

7. The contention of the 2nd respondent is that a new election ought to have been conducted after 2024 by the 2nd respondent as an incumbent President. However, in the present case, since the suit is pending, the 2nd respondent, the incumbent President has not come forward to conduct a new election. Therefore,



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the writ petitioner conducted the election, declared himself as President, and submitted all the relevant documents to the 1st respondent.

8. It is further seen that the subject matter of the litigation in the said suit is for the period from 2018–2024. Hence, the pendency of the suit cannot be cited as a reason to reject Form-VII.

9. Accordingly, the impugned order passed by the 1st respondent dated 19.02.2025 is quashed. The 1st respondent is directed to register Form-VII. It is made clear that the 2nd respondent is at liberty to challenge the election, if so advised. The learned I Additional District Judge-I, Thoothukudi, is directed to complete the suit proceedings in O.S. No.108 of 2022 within a period of one year from the date of receipt of a copy of this order. It is also made clear that the petitioner was elected for the term 2024–2027. However, the mere submission of the annual report for the period 2018–2022 will not confer any rights upon the



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petitioner. All the plea available to the parties may be canvassed before the Civil Court in the pending suit.

10. With these observations, this Writ Petition is allowed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

07.07.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
KSA

To:

The District Registrar
Administration,
Thoothukudi.



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S.SRIMATHY, J.

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**ORDER MADE IN
W.P(MD)No.15259 of 2025**

DATED : 07.07.2025